

**UNITED STATES WAR ON DRUGS: ADDICTED TO  
A POLITICAL STRATEGY OF NO END**

**MONOGRAPH**  
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The drug war has failed to achieve conditions that reduce the influence of illicit drugs abroad or at home. The National Drug Control Strategy is the U.S. President's policy document that outlines the administration's plan to reduce the influence of illegal drugs. The monograph addresses trend analysis of drug control programs since 1993 and explores emerging indicators on drug war policy from the new Bush Administration. Domestically, rather than a significant reduction in the use of illegal drugs, the nation has experienced increases in both purity and availability. Internationally, the net result of the strategy has been an ever-increasing fiscal outlay for supply reduction programs as the illegal drug industry moved from one source country to another. Additionally, more resources were allocated to source countries to maintain supply reduction success. Finally, the drug strategy required more U.S. money to address the next source country's problem. Using principles of economic theory, the cocaine supply market would not exist were it not for the demand. It would appear that profits from the U.S. demand outweigh the risks associated with illegal production. If this researcher could come to this conclusion with vast amounts of public accessed data, why has the preponderance of fiscal resources gone to supply reduction rather than demand reduction? The research question is of interest to a student of operational art. For his understanding that policy formulation for national drug control is primarily an extension of political will. The military planner must understand the reality that the tactics of elections is driving the strategic formulation of policy. The get-tough approach represented by source country interdiction is easier politically to present to a nation that has grown accustomed to politically-correct rhetoric. Exploring the cognitive tension between the continued execution of a failing drug control strategy and the continued political success gained from the electorate is of value in understanding the role of national will. The monograph concludes that electoral politics was the reason why the preponderance of federal fiscal dollars went to supply programs rather than demand reduction programs. The United States drug policy has been driven by the need to appear tough on drugs, regardless of results. Cocaine and heroin cost are declining and product purity is rising. Presidential leadership has a value, however, pressures to compromise mitigate leadership's effectiveness. Political activism by an informed electorate to help shape the direction of public policy is needed.

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## Abstract

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by MAJ Barrett K. Peavie, US Army, 56 pages.

The drug war has failed to achieve conditions that reduce the influence of illicit drugs abroad or at home. The National Drug Control Strategy is the U.S. President's policy document that outlines the administration's plan to reduce the influence of illegal drugs. The monograph addresses trend analysis of drug control programs since 1993 and explores emerging indicators on drug war policy from the new Bush Administration. Domestically, rather than a significant reduction in the use of illegal drugs, the nation has experienced increases in both purity and availability. Internationally, the net result of the strategy has been an ever-increasing fiscal outlay for supply reduction programs as the illegal drug industry moved from one source country to another. Additionally, more resources were allocated to source countries to maintain supply reduction success. Finally, the drug strategy required more U.S. money to address the next source country's problem. Using principles of economic theory, the cocaine supply market would not exist were it not for the demand. It would appear that profits from the U.S. demand outweigh the risks associated with illegal production. If this researcher could come to this conclusion with vast amounts of public accessed data, why has the preponderance of fiscal resources gone to supply reduction rather than demand reduction?

The research question is of interest to a student of operational art. For his understanding that policy formulation for national drug control is primarily an extension of political will. The military planner must understand the reality that the tactics of elections is driving the strategic formulation of policy. The get-tough approach represented by source country interdiction is easier politically to present to a nation that has grown accustomed to politically-correct rhetoric. Exploring the cognitive tension between the continued execution of a failing drug control strategy and the continued political success gained from the electorate is of value in understanding the role of national will.

The monograph concludes that electoral politics was the reason why the preponderance of federal fiscal dollars went to supply programs rather than demand reduction programs. The United States drug policy has been driven by the need to appear tough on drugs, regardless of results. Cocaine and heroin cost are declining and product purity is rising. Presidential leadership has a value, however, pressures to compromise mitigate leadership's effectiveness. Political activism by an informed electorate to help shape the direction of public policy is needed.

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## **CHAPTER ONE - INTRODUCTION**

Despite convincing, publicly available evidence that the war on drugs has not addressed the nation's problems of drug abuse and addiction, the U.S. government has consistently refused to engage in a serious reevaluation of the strategy or a search for a different approach.

Eva Bertram, author of *Drug War Politics: The Price of Denial*<sup>1</sup>

This passage captures the analysis of several authors on the United States' illegal drug problem and its inability to change strategy, regardless of results. However, what reviews of the drug control strategy failed to appreciate was the primacy of politics in the drug war strategy. Carl von Clausewitz, Prussian theorist, in *On War* stated war is an instrument of policy. Moreover, war "must bear the character of policy and measure by its standards."<sup>2</sup> To evaluate and measure the U.S. drug war strategy against its stated goals would lead a researcher to conclusions that are misleading. The written strategy goals has consistently been to reduce the availability and consumption of illegal drugs in the United States, however, the unwritten political strategy was to present a perception of being tough on both domestic and international drug control for electoral success.

The National Command Authorities, NCA, had declared a war on drugs.<sup>3</sup> The research question explores whether electoral politics is the reason why the preponderance of federal fiscal resources address supply rather than demand reduction efforts. Based on the annual fiscal outlays from 1992-2001, the anti-drug strategy minimized demand reduction, and maximized supply reduction efforts in source countries. Domestically, rather than a significant reduction in the use of illegal drugs, the nation has experienced increases in both purity, and availability.

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<sup>1</sup> Eva Bertram and others, eds., *The Drug War Politics: The Price of Denial*, (Berkeley: University of California Press, 1996), 3. The authors show how political expediency and a punitive conventional wisdom have combined to support a national drug policy that fails to achieve its intended goals.

<sup>2</sup> Clausewitz, Carl, *On War*, (Princeton: Princeton University Press, 1984), 610. Although the work is based on the author's experience in the Napoleonic era, the work is expansive enough to comment on grand strategy. The entire chapter six book eight is devoted to the influence of the political objective on war and emphasized how war cannot be divorced from political life.

<sup>3</sup> The first use of the phase was during the Nixon Administration. Every succeeding administration has escalated the resources towards the war. Presidential Decision Directives, Congressional Legislation, and Department of Defense military strategies include drug control initiatives.

Internationally, the net result of the strategy has been an ever-increasing fiscal outlay for supply reduction programs as the illegal drug industry moved from one source country to another. Additionally, more resources were allocated to source countries to maintain supply reduction success. Finally, the drug strategy required more U.S. money to address the next source country's problem. (The movement of cocaine production from Peru and Bolivia to Colombia serves as an excellent example.) Using principles of economic theory, the cocaine supply market would not exist were it not for the demand.<sup>4</sup> It would appear that profits from the U.S. demand outweigh the risks associated with illegal production. If this researcher could come to this conclusion with vast amounts of public accessed data, why has the preponderance of fiscal resources gone to supply reduction rather than demand reduction? This monograph attempts to briefly investigate this presidential phenomenon over the span of the William Clinton and the beginning of the George W. Bush administrations.

The research question is of interest to a student of operational art for the application of a systems approach to understanding that policy formulation for national drug control is primarily an extension of political will. The use of force may be leveraged for outcomes that have more to do with strategic presidential politics as opposed to operational results from the execution of the written strategy. Exploring the cognitive tension between the continued execution of a failing drug control strategy and the continued political success gained from the electorate may be of value in understanding the role of national will.<sup>5</sup>

## Methodology

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<sup>4</sup> William J. Bruns, Jr. *Accounting for Managers*, Harvard Business School, (Boston: South-Western College Publishing, 1999), Chapter 4, "Cost Concepts and Analysis". See also John D. Daniels, *International Business: Environments and Operations*, (New York: Addison Wesley Longman, 1998), 14-25.

<sup>5</sup> Shimon Naveh, *In Pursuit of Military Excellence: The Evolution of Operational Theory*, (London: Frank Cass, 1997). "whereas military strategy and tactics strive, through the calculated investment of resources and optimization of their employment, to support the politician's intention to produce a new reality, the operational art interprets, through dialectical thinking, the military implications resulting from the political decisions, and initiates future situations to lead to the materialization of the desired reality." Author contends that the aims between tactics and strategy creates cognitive tension at the operational level. (306-309).

Presidential administrations from 1992 to 2001 were the focus of the research. Two administrations under President William Clinton and one with George W. Bush provide the case analysis for the research. The drug wars dilemma did not start during this time, however, the stark Machiavellian-like Presidential decisions coupled with the documented results of strategy had implications for the nation at the turn of the twenty-first century.

A discussion on drug abuse reduction theory and programs followed by a brief overview on U.S. electoral politics establishes the foundation for the succeeding chapters. The researcher intends to prove the primacy of presidential politics in the drug war strategy by providing analysis of the results over time. Each administration provides its own report card on its success or progress every year through the National Drug Control Policy Reports. Since 1998, the Office of the National Drug Control Policy, ONDCP, has been mandated by Congress to update this evaluation annually. Included in the analysis will be results from the U.S. Government Accounting Office, GAO, which has conducted periodic assessments of program goals and initiatives. Particular attention will be focused on election year changes in drug strategy for both presidential and congressional political races.<sup>6</sup> To help understand the assessments, it is important to begin with a discussion of controversial drug control policies at the national level.

## **Background**

When the first drug laws were adopted in the early decades of the twentieth century, the public associated drugs with immigrant groups and minorities: opium with Chinese laborers in the west, cocaine with blacks, and marijuana with Mexican immigrants in the southwest. These drugs were seen as foreign threats to the social fabric, undermining traditional moral values and political stability.<sup>7</sup> At the turn of the twenty-first century, this link between foreigners and illicit

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<sup>6</sup> The technique of using government reports to help assess political influence is essential to help minimize bias found in sources with known political agendas.

<sup>7</sup> This linkage is fundamental to an honest discourse on a contentious subject. It is arguably at the core of political and socio-economic trends in the United States. See Ronald Bayer and Gerald Oppenheimer, *Confronting Drug Policy: Illicit Drugs in a Free Society*. (Cambridge: University Press, 1994). Anne Saddington's "The War on Drugs: Public Policy Misfire," PhD dissertation, (University of California: 1994) for a well documented history of the theoretical bases, execution, and ultimate failure of both the

drugs continues to influence United States international drug policy, prompting the government to use diplomacy, economic assistance, coercion, and military force to try to stop drugs from entering the country.

Americans strongly support government efforts to cut off foreign drug supplies. More than two-thirds of the respondents in a 1997 poll by the Pew Research Center for the People and the Press considered drug control to be one of the top priority goals of United States foreign policy; only protecting American jobs and preventing the spread of nuclear weapons received higher scores. Similar views have prevailed in other surveys. A 1995 nationwide poll found that 86% of Americans consider stopping the flow of drugs one of the country's most important foreign policy goals.<sup>8</sup>

The close connection in the public mind between international initiatives and drug abuse, which is often experienced as an intensely local problem involving families, schools, and communities, gives this issue particular resonance in public views of presidential politics and foreign policy. Illegal drug trafficking and the personal consequences from its use was not viewed as a personal problem with local solutions. The electorate through opinion polls conducted before presidential elections expressed their support for the involvement of federal government in both domestic as well as international drug control. The policy position of the electorate has overriding influence in the development of presidential positions and will.<sup>9</sup>

Having established the historic linkage between the U.S. drug problems and international suppliers, the next discussion highlights supply and demand drug reduction theory. How are the

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theory and practice of the War on Drugs. Mathea Falco, former U.S. assistant secretary of state for international narcotics matters from 1977 to 1981, author of *Making a Drug-Free America: Programs that Work*, (New York: Times Books, 1994). Other works supporting this linkage include Robert E. Long, ed. *Drugs in America*, (New York: The H.W. Wilson Company, 1993).

<sup>8</sup> Mathea Falco, "America's Drug Problem and Its Policy of Denial," *Current History* 97, no. 618 (1998): 145-149. Author explores the nation's drug control strategy and contends that the strategy should shift from a primary focus on reducing drug supplies to reducing the demand.

<sup>9</sup> Murray Edelman, *The Symbolic Uses of Politics*. (Urbana: University of Illinois Press, 1964). Edelman believes the leader who correctly measures the mood of the public, and who then takes the role of the public through speechmaking and legislating, which behavior becomes symbolic of the commonness of the leader and the public, seems to represent the public. This seemingly true representation of the public mood

programs designed to work? The next section addresses these questions. A working knowledge sets the foundation essential to discerning the truth behind the political rhetoric.

## **Theory: Supply and Demand Reduction**

Given the unsettled nature of the drug control theory in academia, it was not surprising to witness divergent program development. With the theory lacking scientific consensus on effectiveness, presidents took advantage of the lack of consensus with political rhetoric.<sup>10</sup> Some may call this position maximum flexibility in a condition of uncertainty. Speak the words that the electorate has been receptive to hearing rather than pursue fundamental program changes. A family of programs under each umbrella strategy, supply and demand, is discussed briefly in the next section.

The challenge concerning drug control theory is that there is no consensus on what really works. Study after study commissioned by political think tanks and partisan congressional committees contribute to the damage to truth. Supply and demand reduction policies found their positions supported by studies. This section highlights the theory behind the two drug control policies. According to Barry McCaffrey, then Director, Office of National Drug Control Policy, two studies, RAND's *Controlling Cocaine*, and IDA's *Counterdrug Interdiction*, dominated the policy discussions in the 1990s.<sup>11</sup> This discussion sets the logical underpinnings for the strategy in the drug reduction programs.

The theory behind supply reduction programs was articulated in the following passage by authors Peter Rydell and Susan Everingham of the RAND institute.

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enables the leader to reassure the public and continue in a position of leadership (p.188).

<sup>10</sup> The monograph explores the ambiguity that facilitated an escalation of resources towards a strategy that had no real accountability for results for most of the 1990s. This condition allowed presidential candidates flexibility to develop policies based on cyclic elections rather than the measures of effectiveness of a drug control strategy.

<sup>11</sup> Barry R. McCaffrey, *The Destructive Impact of Drugs on the United States: How the Legalization of Drugs Would Jeopardize the Health and Safety of the American People and Our Nation*, (Washington D.C.:GPO, 1999), 26. This acknowledgement supports why the ONDCP has commissioned a study to evaluate the theories in order to gain support for the doctrine inherent in the present strategy. This study

The direct result of supply reduction programs is to increase the price of cocaine. The indirect result and ultimate purpose is to reduce cocaine consumption through current users reducing their consumption in response to the price increase and the number of future users decreasing as inflows of new users decrease and outflows of existing users increase in response to the price increase.<sup>12</sup>

Supply reduction causes the price of cocaine to increase in three different ways. When production expands to replace seizure losses, the sales price goes up to cover the replacement cost of the seizures. Additional price increases occur to cover the costs of financial sanctions imposed on producers (seized assets and arrests and imprisonment of drug dealers or their agents). Finally, cocaine producers do not passively accept product seizures and financial sanctions. They actively take precautions to avoid the supply-control penalties to the extent possible. These precautions increase the processing costs at each production stage.<sup>13</sup>

Finding a study to collaborate a direction for public policy was important for the legitimacy of the National Drug Control Strategy. Countering the findings from the RAND Institute, the Institute of Defense Analysis, IDA, argued for the efficacy of supply reduction, particularly interdiction programs. The IDA study challenged the findings from the RAND study *Controlling Cocaine*.<sup>14</sup> Using this document, the U.S. Defense and Transportation Departments advocated dramatically expanded spending on interdiction at the expense of demand reduction programs. However, the National Research Council, the principal science and technology board that advises the federal government, found that the research foundation of the IDA study was inadequate to serve as a basis for sound public policy.<sup>15</sup>

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will conclude in 2003.

<sup>12</sup> See RAND study *Controlling Cocaine* for more information on supply control theory, Appendix B, "Controlling Cocaine".

<sup>13</sup> *Ibid.*

<sup>14</sup> Crane, B., Rivolo, A.R., and Comfort, G., *An Empirical Examination of Counterdrug Interdiction Program Effectiveness*, IDA Paper P-3219, (Washington D.C: GPO, 1997). The IDA study was produced for the Department of Defense in response to the task Counterdrug Research on the Effectiveness of Detection, Monitoring, and Interdiction in the Western Hemisphere in 1996. Its mandate was to provide an empirical study supporting the correlation of source zone interdiction effectiveness with the price of cocaine in the United States.

<sup>15</sup> Barry McCaffrey, "The Destructive Impact of Drugs on the United States: How the Legalization of Drugs would Jeopardize the Health and Safety of the American People and Our Nation". U. S. Government

Countering the supremacy of interdiction, a controversial comprehensive study conducted by RAND, entitled *Controlling Cocaine: Supply Versus Demand Programs*, offered an analytical model to support the cost effectiveness of demand reduction. This study stated that an estimated \$13 billion was being spent in the U.S. each year on drug programs. Treatment had only a small percentage of this budget, despite empirical evidence that supported the overwhelming effectiveness of demand reduction strategies.<sup>16</sup>

According to the RAND study, the cost of reducing consumption by 1% would equate approximately with the following figures in millions of dollars a year: source country control-\$780, interdiction-\$400, domestic enforcement \$250, and treatment \$50 in 1994 dollars.<sup>17</sup> Additionally, the study estimated that, for reducing cocaine consumption, treatment is seven times more cost-effective than border interdiction and 23 times more effective than counter-narcotics programs in Latin America. Even if someone relapses immediately upon leaving a program, RAND found, treatment was a good bargain, since the savings from reduced crime, medical problems and other harmful effects far outweighed the cost of the program.<sup>18</sup> The cost effectiveness comparison of three supply reduction programs versus one demand program proved the value of demand reduction.

However, in 1999, the National Research Council conducted an assessment and

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Printing Office, June 16, 1999. Washington, DC, p26. The National Research Council was organized by the National Academy of Sciences in 1916 to associate the broad community of science and technology with the Academy's purposes of further knowledge and advising the federal government. The National Research Council is administered by the National Academy of Sciences, the National Academy of Engineering and the Institute of Medicine. More information available at <http://www.nas.edu/nrc.html>.

<sup>16</sup> C.Peter Rydell and Susan Everingham, *Controlling Cocaine: Supply Versus Demand Programs*, (Santa Monica: RAND, 1994). This report analyses interdiction, source country control; domestic enforcement and treatment of heavy users. The first three of these programs focus on supply control, whereby arresting and incarcerating dealers and their agents increase by seizing drugs and assets and the cost of supplying cocaine. The fourth program is a demand control program because it reduces consumption directly, without going through the price mechanism. Given the high cost of supply control programs, this report concludes that treatment of heavy users may be a more cost-effective way of dealing with drug interventions. This work was so compelling that it was not until 1999, that the National Drug Control Policy Office challenged it.

<sup>17</sup> See chapter three of the RAND study *Controlling Cocaine* for a detailed analysis of price elasticity theory and control programs.

<sup>18</sup> Michael Massing, "The Elephant in the Room", critical article concerning Presidential candidates silence

concluded, “while the RAND study serves as an important point of departure for the development of richer models of the market for cocaine, the findings do not constitute a persuasive basis for the formulation of cocaine control policy.”<sup>19</sup> RAND Center countered the findings with another study entitled “Response to the National Research Council’s Assessment of RAND’s *Controlling Cocaine*” study in 2000. The RAND response study stated “that most of the committee’s criticisms rest on an incomplete understanding of the mathematical model used in the RAND report or, when taken into account, do not result in important changes in the findings based on the model.”<sup>20</sup> The stage was set for the Committee on Data and Research for Policy to begin an independent study to find out what actually works.

Despite evidence to the contrary, the Office of the Nation’s Drug Control Policy, ONDCP, stated in the U.S. Strategy Report 1999, that consensus on the theory was reached. Consensus meant demand reduction programs: drug prevention: education, treatment, and research, complemented by supply-reduction programs abroad, on our borders, and within the United States. The 1999 report stated that various documents affirmed that no single approach could rescue the nation from the cycle of drug abuse. Each strategy shared the commitment to maintain and enforce anti-drug laws. Furthermore, the report affirms that both the demand and supply reduction strategies tied policy to a scientific body of knowledge about the nation’s drug problems.<sup>21</sup>

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on the failure of the U.S. war on drugs. Feb 22,2000 at [www.salon.com/health/feature/2000/02/22/massing](http://www.salon.com/health/feature/2000/02/22/massing). Accessed on 4/12/01.

<sup>19</sup>On the behest of the National Drug Control Policy Office, Accord, National Research Council, “Assessment of Two Cost-Effectiveness Studies on Cocaine Control Policy 1999”. (Found that two separate studies commonly used to justify spending on particular anti-drug efforts at the expense of other anti-drug efforts were both flawed) This assessment is according to the Director of the ONDCP, Barry McCaffery. In order to set the theoretical foundation for the Strategy 2001, and build consensus for his approach, McCaffery commissioned a study that discounted the merits of the leading divergent schools of thought.

<sup>20</sup> Jonathan P. Caulkins, James R. Chiesa, Susan M. Sohler Everginham, Response to the National Research Council’s Assessment of RAND’s *Controlling Cocaine* Study. 2000, pages ix,-27.

<sup>21</sup> Barry McCaffrey, *The Destructive Impact of Drugs on the United States: How the Legalization of Drugs Would Jeopardize the Health and Safety of the American People and our Nation*, (Washington D.C.: GPO, 1999), 26-39. For a radically different opinion see Joseph McNamara: Fellow, Hoover Institution. “Police Gangsterism” Local and Federal Corruption in the Drug War.” And Ricky Bluthenthal: Assistant professor

Countering their own statement on consensus, the ONDCP sponsored a study in 2000, by the Committee on Law and Justice, to develop over the course of 30 months to:

(1) assess existing data sources and recent research studies that support policy analysis; (2) identify new data and research that may enable the development of more effective means of evaluating the consequences of alternative drug control policies; and (3) explore ways to integrate theory and findings from diverse disciplines to increase understanding of drug abuse and the operation of drug markets.<sup>22</sup>

The project summary stated that the lack of a strong theoretical and information base on illicit drugs has forced decision makers to fall back on common sense and untested theory to guide policy judgments on drug control. Analyzing the fact that the consensus statement predated the project designed to build consensus, led the researcher to contend that consensus had not been reached. Yet, policy documents articulating the strategy would state otherwise. Because theory was supposed to set the foundation for the design of programs it was imperative that academia forms a consensus of support rather than dissent. It is important for the reader to understand that this pursuit for consensus in academia will never happen, and that the real purpose was to build political consensus.

Efforts were made that used academic outlets to build political consensus. The Director of the Office of National Drug Control Policy, addressing a science and technology forum, stated “despite our continued efforts to bring national policy in line with what science and experience have established, many in the research community continue to preach to us rather than join voices

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of psychiatry and human behavior, Drew University and associate sociologist, RAND Corporation. “Public Health vs. Criminalization Policies.” Marijuana use is not addictive and brings less severe individual health consequences or social harm than does alcohol use. Therefore, the drug war is in part a war against a problem that does not exist and in part, a war against a problem created by the war itself. Internet available from [www.foreignpolicy-infocus.org/papers/drugs/index\\_body.html](http://www.foreignpolicy-infocus.org/papers/drugs/index_body.html). accessed on 3/4/01.

<sup>22</sup> Project Summary, Committee on Data and Research for Policy on Illegal Drugs found on internet, www4.nationaacademies.org. accessed on 4/13/01. The capacity of even sophisticated analytic techniques to compensate for the limitations of the existing data has been questioned by many in the research and policy communities. Methodological differences in these studies raise a number of issues, i.e., is there sufficient data and evidence to support the underlying assumptions used to construct the models? Is cocaine consumption an appropriate common outcome measure for both supply and demand reduction programs. Has interdiction had a measurable effect on cocaine retail/street prices, or has it caused a measurable reduction in cocaine use? And is interdiction a cost effective approach for reducing cocaine availability and consumption?

with us.”<sup>23</sup> The national policy submission of the National Drug Control Policy report begins with a discussion of theory to back the direction of the strategy. However, at the turn of the twenty-first century, the theory debate on what works was still open. The next section reviews the federal programs that continued to invite public scrutiny.

## **Overview: Reduction Programs**

Despite the status of theory, program development for both supply and demand reduction manifested into a multi billion dollar a year enterprise to combat illegal drugs. The United Nations estimated that in 1997 worldwide trade in illicit drugs amounted to \$400 billion per year, or eight percent of the global economy. The projected U.S. budget for drug control in 2001 is in excess of \$19 billion dollars in federal funding. The fiscal funding between the two programs during the 1990s has consistently honored a 70 to 30 percent ratio for supply to demand respectively. Supply reduction programs consisted of: interdiction, crop eradication, and enforcement. Enforcement included mandatory sentencing and the building of prisons. Demand reduction includes prevention, education, and treatment.

The U.S. policy of attacking the supply of illegal drugs is not unprecedented. In the 1980s, U.S. counter narcotics efforts in the Caribbean succeeded in pushing much of the cocaine traffic into Mexico. The movement was one of the results of executing the Andean Strategy.<sup>24</sup> According to J.F. Holden-Rhodes, author of *Sharing the Secrets: Open source Intelligence and the War on Drugs*, the Andean Strategy, a source program that eradicated cocaine crops in Bolivia, Peru and Ecuador, was an ill-conceived plan directed to solve the complex problem of drug trafficking has been a stumbling block since its inception. Established in 1989, the strategy was the result of faulty planning, an approach by which the United States Government would work with Andean Region governments to disrupt and destroy the growing, processing, and

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<sup>23</sup>Barry McCaffrey, *Issues in Science and Technology* on line, Winter 1998, Director’s response to academia and other researcher’s assessment on the controversial public policy debate.

<http://www.nap.edu/issues/15.2/forum.htm> accessed on 4/13/01.

<sup>24</sup> U.S. Department of Justice, Drug Enforcement Administration, “Traffickers from Colombia”, <http://www.usdoj.gov/dea/traffickers/Colombia.htm>. accessed on 3/4/01. “Mexico evolved from mere transporters of cocaine to major cocaine traffickers . Currently, the greatest proportion of cocaine available in the U.S. is still entering the U.S. through Mexico.”

transportation of coca and coca products within the source countries.<sup>25</sup>

During the 1990s, reduced coca production in Peru and Bolivia has been countered by the shift to Columbia.<sup>26</sup> However, the programs have not made any significant change in the quantity of cocaine entering the United States, and has accelerated the destabilization of Mexico and Colombia.<sup>27</sup> The following table shows the dramatic shift in production patterns. Until 1997 most of the coca was grown in Peru and Bolivia, while coca base was shipped to Colombia for processing and distribution.

	1995	1996	1997	1998	1999
<b>Peru</b>	<b>460</b>	<b>435</b>	<b>325</b>	<b>240</b>	<b>175</b>
<b>Bolivia</b>	<b>240</b>	<b>215</b>	<b>200</b>	<b>150</b>	<b>70</b>
<b>Colombia</b>	<b>230</b>	<b>300</b>	<b>350</b>	<b>435</b>	<b>520</b>
<b>Totals</b>	<b>930</b>	<b>950</b>	<b>975</b>	<b>925</b>	<b>765</b>

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<sup>25</sup> J.F. Holden-Rhodes, *Sharing the Secrets: Open Source Intelligence and the War on Drugs*, (Westport, Connecticut: Praeger Publishing, 1997), p.79. This work provides a foundation for the belief that intelligence work and its products do not have to be classified. It makes the case for a new unclassified intelligence that is uniquely suited to win against illegal drug trafficking. Author contends that the failing U.S. strategy is operations based instead of intelligence based which is strategic in foundation. Author is very critical of the National Drug Control Strategy construction and implementation. For more on the flawed design on the Andean Strategy see Mendel, William W. "Illusive Victory: From BLAST FURNACE to GREEN SWEEP". *Military Review*, Foreign Military Studies Office, (Fort Leavenworth Kansas, December, 1992),74-87.

<sup>26</sup> Paul Lewin: Research Director, Common Sense for Drug Policy, Washington, D.C. "The Political Economy of the Drug Market." This movement has been called the "Hydra effect. Lewin describes the effect with the following analogy. Like the mythical Hydra that spouts two heads each time one is cut off, the drug industry responded to the cutting of the French Connection for heroin by spreading to Southeast Asia; to President Nixon's militarization of the Mexican border by developing amphetamines and other pills produced in the U.S.; to President Carter's eradication of foreign cannabis with the herbicide paraquat by growing more cannabis domestically; to President Reagan's air surveillance of Colombian marijuana shipments by shifting to smaller quantities of high value cocaine easily concealed in small places; to the criminal sentences based on gross weight of drugs by multiplying the number of dealers on the street each carrying smaller amounts. Testimony found at [www.foreignpolicy-infoc.org/papers/drugs/index\\_body.html](http://www.foreignpolicy-infoc.org/papers/drugs/index_body.html) accessed on 3/4/01.

<sup>27</sup> Gabriel Marcella and Donald E. Schultz, "War and Peace in Colombia", *The Washington Quarterly* 22:3 pp 213-228. .226. Gabriel Marcella, professor of third world studies at the U.S. Army War College, says that a programmatic approach driven by limited resources, and the fact that Colombia's three wars are overwhelmingly complex, has crippled American policy. Moreover, contends that the problem and its solution must be traced back to the U.S. demand for illicit drugs. Until the U.S. gets its own house in order through education, treatment, and law enforcement, Colombia and other countries will have to deal with the destabilizing consequences of our addiction.

**Table 1. Andean Potential Cocaine Production (Metric Tons)**<sup>28</sup>

One significant aspect from the data was that the results could be interpreted as both failure and success. To focus on the reduction and not the movement would characterize the effectiveness as a success. However, supply reduction successes according to Harvard University author Mark Moore “are not particularly valuable if they do not result in reduced consumption.”<sup>29</sup> Conversely, to emphasize the movement articulates the reality that to fight the supply at the source causes it to spread. Author, George Will referred to the numbers as the arithmetic of futility: about one-third of cocaine destined for the United States is interdicted, yet the street price has been halved in the last decade of fighting the drug war on the supply side.”<sup>30</sup> This is typical of the types of problems with statistical analysis based on estimates.<sup>31</sup>

William Walker, the author of *Drug Control in the Americas*, contends the present lack of knowledge about drug trafficking was brought about by three factors that stretch back almost 20 years into the development of contemporary American drug policy. First was the overemphasis on a law enforcement approach to drug trafficking. Second was a faulty understanding of the complexity of the drug trafficking industry. Third was the lack of understanding on the part of the US policy makers of the impact of drug trafficking on producing and transit countries.<sup>32</sup>

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<sup>28</sup> Gabriel Marcella, *Plan Colombia: The Strategic and Operational Imperatives*, (Strategic Studies Institute Special Series, U.S. Army War College) table 1 page 3. This data is also found in the ONDCP reports. The disclaimer is that the numbers are only estimates of the production potential, not actual truth.

<sup>29</sup> Mark Moore, “Drugs, the Criminal Law, and the Administration of Justice”, Harvard University, in Ronald Bayer and Gerald Oppenheimer eds., *Confronting Drug Policy: Illicit Drugs in a Free Society.*, (Cambridge: University Press, 1994).

<sup>30</sup> George Will, “Fighting A Supply-Side War on Drugs is Exercise in Futility”, *Duluth News Tribune* (MN), Fri, 19 Jan 2001. accessed on [www.mapinc.org/drugnews/v01/n108/a09.html](http://www.mapinc.org/drugnews/v01/n108/a09.html) on 4/12/01.

<sup>31</sup> If the supply was reduced to zero of one particular drug, it would not solve the problem of illicit drug demand. Other points that Table 1 (Andean Potential Cocaine Production) does not show are the diversification and sophistication of the industry. According to DEA, during these five years, the Colombians have aggressively increased their share of the heroin worldwide market from 0 to 6 %. Colombia and Mexico, supplied over 80 percent of the heroin available in the United States from 1995-1998. Latin American poppy cultivation figures for 1999 were not available. National Drug Control Strategy Report, Performance Measures of Effectiveness, E-112. According to the ONDCP, the estimated proportion of heroin-removed en-route to the U.S. has remained constant at between 10 and 11 percent. Approximately 90 percent of the heroin produced in Mexico and Colombia was not interdicted. National Drug Control Strategy Report 2001, “Performance Measures of Effectiveness”, E-96. This discussion was a reminder that conclusions drawn from single source documents were often misleading.

<sup>32</sup> William O. Walker III, *Drug Control in the Americas* (Albuquerque: University of New Mexico Press, 1981), p 193. For additional information on U.S. involvement in the Americas see Mark Danner’s work *The Massacre at El Mozote: A Parable of the Cold War*. (New York: Vintage Books, 1994). The concept that corruption in foreign governments will adversely influence the success of interdiction see GAO reports

The third point of Walker's argument had direct bearing on the political policy makers.

The production and transit countries have neither the capability, nor is it in their best national interest, to oppose drug trafficking.<sup>33</sup> The revenue derived, between one-third and one-half of the gross national product of the production countries, more often than not dooms any plan that attempts to destroy drugs at the source. Another consideration from his assessment is that combating drugs is not necessarily a high priority for foreign governments. Some countries perceive drug production and trafficking as a U.S. problem, and the perception that the United States lacks political will to combat drugs within its borders has been widely reported in foreign media.<sup>34</sup>

Overall, throughout the preceding decade, the policies failed for various reasons to reduce accessibility of drugs. According to authors Bertram et al., the reduction efforts caused drug production to spread.<sup>35</sup> Using the ONDCP report on measures of effectiveness supports the spreading of drugs as fact. The policy reports also confirm that the illicit drug trade is an extremely sophisticated industry from production to retail, with enormous profit margins. Rhetoric notwithstanding, to support supply programs reflected a get-tough approach whereas, the perception of demand reduction efforts carried the stigma of a softer position on drug abuse. The validity of this assertion is verified by examining presidential politics.

## **Presidential Politics**

When you run for office it is easy to gold plate your crime fighting credentials by giving in to the call for more law enforcement resources in the drug war. You know better, but you do it.

Richard Nixon, 37<sup>th</sup> President of the United States<sup>36</sup>

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<sup>32</sup> "Drug War: Observations on the U.S. International Drug Control Strategy", June 1995, and "Drug Control: U.S. Assistance to Colombia Will Take Years to Produce Results", October 2000.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid. See also GAO Report "Drug Control: Interdiction Efforts in Central America have Had Little Impact on the Flow of Drugs", August 1994.

<sup>35</sup> Bertram, et al. makes a critical distinction between failings of the drug war and flawed strategy. "The failings of the drug war are both the supply of drugs and the levels of abuse and addiction remain high. But failure can be blamed on any of a range of causes-poor leadership, scarce funds, and faulty implementation. A flawed strategy, on the other hand, is one that is fundamentally misconceived: it will continue to fail regardless of leadership, resources, or operational efficiency." Authors contend that this inability to see the poor track record is one reason U.S. leaders answer failure with escalation...p 9.

<sup>36</sup> Quoted by Michael Kramer, "Key To War on Drugs in W's Hand", New Your Daily News (NY) Fri., 02, Mar 2001. [http://www.nydailynews.com/maunual/news/e\\_the\\_people/e\\_the\\_people.htm](http://www.nydailynews.com/maunual/news/e_the_people/e_the_people.htm) accessed on 4/12/01. See also Steven Wisotsky, *Breaking the Impasse in the War on Drugs*, (New York: Greenwood Press, 1986) page 182 on Nixon. Majority of work explores the Reagan Administration's approach and argues that the basis of the approach to drug control is wrong and in need of radical rethinking.

Author Michael Kramer claims that no one doubted Nixon's toughness, which was perhaps why he was the first President to propose a concerted emphasis on treatment. The contradiction in political will serves as a reminder that drug control theory, and program development does not occur in a vacuum. This section discusses some of the political tools used to shape the considerations of the drug control program. The political tools that presidents have to influence the debates are: public persuasion, legislative initiatives, and the power to direct the bureaucracy.<sup>37</sup> Public persuasion was the use of the media to galvanize public attention through speeches, radio addresses, and special events. Legislative initiatives include the introduction of legislation and the application of pressure on Congress to act on proposed legislation. Directing the federal bureaucracy included the expansion of agencies and the assignment of missions through executive orders.

Domestic and international policy considerations frame the political approaches. At the root of this pattern was the broad reach of punitive thinking on drugs, among both the electorate and the politicians. An important clue to this pattern lies in when drug policy was made. For more than two decades, virtually all-major drug legislation has been enacted in election years.<sup>38</sup> The political consequences of party positions is essential to understand before visiting the rhetoric and actions of specific administrations.

### Domestic: Get-Tough Approach

The election-year logic of the 1988 presidential election fueled the partisan drug war stalemate in the 1990s. The Republican platform located the source of the drug problem in the moral degeneration of American society.

The Republican Party is committed to a drug-free America. Our policy is strict

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<sup>37</sup> Eva Bertram, *Drug War Politics*, 104. Nixon used legislative initiatives to increase the power of law enforcement with the Comprehensive Drug Abuse Prevention and Control Act of 1970. Another initiative was the Nixon led expansion on antidrug spending. Drug enforcement alone climbed from \$43 million in fiscal 1970 to \$321 million in fiscal 1975. Legislative pressure was also used to deescalate. After 10 months after the Nixon's reelection, he declared victory citing a decrease in the heroin supply and number of users. The federal effort was toned down and programs were moved from the White House into the states. Yet, funding levels remained high, tied to crime-reduction, not health-promotion terms.

<sup>38</sup> A review of *Congressional Quarterly Almanac* from 1980 to 1995 established this pattern. The exception was 1989 when increased funding for law enforcement in the war on drugs was approved through the midyear supplemental spending bill, and two presidential initiatives cleared Congress: the Drug Free Schools and Communities Act and the president's Andean Initiative. See also Wisotsky's *Breaking the Impasse*, Appendix 2 "Chronology of Milestone in the War on Drugs", 249-256.

accountability, for users of illegal drugs as well as for those who profit by that usage. The drug epidemic didn't just happen. It was fueled by the liberal attitudes of the 1960s and 1970s that tolerated drug usage.<sup>39</sup>

All but one of the fourteen points in the Republican plan concerned the need for strict enforcement and sanctions to eliminate drug use. Only point 13, which called for the need for drug education strayed from the enforcement theme.<sup>40</sup>

The Democrats attempted to counter the soft-on-crime charge by projecting an even tougher agenda on drugs and crime but failed miserably. The Democratic presidential candidate, Michael Dukakis, was against the death penalty and was unable to mitigate the effects of the George H. Bush's campaign advertisements, which effectively blamed Dukakis for crimes committed by Horton, a black murderer and rapist furloughed from a Massachusetts state prison.<sup>41</sup> "Vice President Bush's continued attacks on the Democratic nominee for being soft on crime left few in Congress eager to invite the same criticism."<sup>42</sup> *The Congressional Quarterly* stated that the death penalty became a kind of a litmus test for being tough on crime, and opponents could find no way to bring down the emotional pitch.<sup>43</sup>

In the end, the decision to out-tough the Republicans on drugs and crime in 1988 only increased intensity of the political rhetoric on the issue. When Bush released his new drug plan in September 1989, Senator Joseph Biden (D-Delaware), spoke on behalf of the Democratic majority in Congress.

The Bush strategy was not tough enough, bold enough, or imaginative enough. The President says he wants to wage a war on drugs, but if that's true, what we need is another D-Day, not another Vietnam, not a limited war fought on the cheap and destined for stalemate.<sup>44</sup>

According to Bertram et al., Congressional Democrats had postured such a hard-line position on the issue by the end of the 1980s that they risked appearing inconsistent by arguing for a shift in focus from enforcement to increased treatment and prevention.<sup>45</sup> The get-tough rhetoric had risen to a level that made

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<sup>39</sup> "Republican Party Issues Detailed, Long Platform," *Congressional Quarterly Almanac* 44 (1989):46A-75A.

<sup>40</sup> Ibid. Point 13 reads: "Cutting down on the demand for drugs will be of great assistance as we increase our enforcement efforts to reduce drug supply".

<sup>41</sup> "Bush Signs Stripped-Down Crime Bill," *Congressional Quarterly Almanac* 46 (1991):486-99.

<sup>42</sup> "Key Votes in 1988 Reflect Partisan Standoff," *Congressional Quarterly Almanac* 44 (1989): 3b-21b.

<sup>43</sup> "Law and Judiciary," *Congressional Quarterly Almanac* 44 (1989): 61-62.

<sup>44</sup> Joan Biskupic, "Bush's Anti-Drug Campaign Emphasizes Enforcement," *Congressional Quarterly*, 9 September 1989, 2312.

<sup>45</sup> Eva Bertram et al, *Drug War Politics*, 147.

de-escalation towards a demand reduction emphasis seem hypocritical. At the beginning of the 1990s, the policy debate was at a stalemate. Both political parties were advocating tough enforcement for political gain.

### International: Get Tough Approach

Emblematic of this stalemate was the annual certification process. Congress since 1986 has required the president to rate countries based on their efforts to stop the flow of drugs into the United States. The concept of certification reflected a worldview that classified countries into producer, consumer, and transit categories. A country that failed to obtain the presidential seal of approval, to be certified, faced a loss of U.S. aid and the imposition of trade sanctions, which include increased duties on exports and limits on air traffic. The intent of Congress was to put teeth into U.S efforts to compel cooperation as well as to make the president accountable for enforcing a more vigorous international drug policy.<sup>46</sup>

Those countries deemed less cooperative were decertified, which resulted in the termination of U.S. assistance, U.S. opposition to multilateral development loans for that country, and the stigma of being branded a drug-trafficking nation. In 1988 and 1989, Panama was added to the decertification list, just before the U.S. intervened militarily to remove President Manuel Noriega for his involvement in drug trafficking.<sup>47</sup>

Reviewing some of the political party positions completes the background discussion. Understanding that there is an agenda that is manipulated especially during election years, provides more insight into the drug control strategy than perhaps theory and program design. The 1980s solidified the tough enforcement policy both domestically and abroad as the standard. The majority of the electorate may view any deviation as weakness. Chapter 2 explores the political risk of an administration that attempted to change policy.

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<sup>46</sup> U.S. Department of State Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report*, March 1995, vi-viii.

<sup>47</sup> Mathea Falco, “America’s Drug Problem and its Policy of Denial”, *Current History*, April 1998, 146-149. Decertification was reserved for countries like Iran and Syria, with which the U.S. had limited or no relations, as well as Burma and Afghanistan, which together produce 90 percent of the world’s illicit opium. Lebanon was consistently granted a national interest waiver.

## **CHAPTER TWO - CLINTON ADMINISTRATION: FIRST TERM**

Chapter 2 is a brief exploration of the first four years of the Clinton Presidency. It begins with an assessment of the mood of the electorate in 1992, and the election year political rhetoric that helped transform the debate. The reform efforts of the first year were highlighted against the political and legislative consequences of the actions. It ends with an analysis of resource trends and the political imperative to embrace the get-tough approach for the 1996 election year.

A drug policy that doesn't have treatment at its core is ridiculous. What we are doing now can't work. The drug runners always find a way to get their stuff in [to the U.S.] because profits are worth the risk.

William Jefferson Clinton, President of the United States, 1992<sup>48</sup>

For all the public debate about drugs, a singular goal lies behind decades of American Drug Wars, stopping all drug use through a strategy of tough enforcement.<sup>49</sup> President Clinton declared the international drug trade a threat to national security and expanded this theme in Presidential Decision Directive (PDD) 14. He went further by giving Cabinet rank to the Director of ONDCP and in 1996 made the Director a member of the National Security Council.<sup>50</sup> According to author Michael Kramer of the *New York Daily News*, President Clinton promised to “invert the funding ratio. I’ll spend much, much more on treatment and much less for things like interdiction.”<sup>51</sup> Rather than honor this promise to increase demand reduction efforts, William Clinton shifted the resources from transit to source country interdiction. “Like his predecessors, he failed to significantly alter the course of U.S. drug policy: by 1995, the drug war budget was larger than ever, and the proportion devoted to enforcement was essentially unchanged.”<sup>52</sup> The

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<sup>48</sup> Michael Kramer, “Key To War on Drugs in W’s Hand”, *New Your Daily News* (NY) Fri., 02, Mar 2001. [http://www.nydailynews.com/maunual/news/e\\_the\\_people/e\\_the\\_people.htm](http://www.nydailynews.com/maunual/news/e_the_people/e_the_people.htm) accessed on 4/12/01.

<sup>49</sup> Eva Bertram, et al. *The Drug War Politics*; 3. The authors show how political expediency and a punitive conventional wisdom have combined to support a national drug policy that fails to achieve its intended goals.

<sup>50</sup> William W. Mendel, and Murl D. Munger, *Strategic Planning and the Drug Threat*, A Joint Study Initiative by The National Interagency Counter drug Institute, The Strategic Studies Institute (Fort Leavenworth, KS: U.S. Army War College, 1997), 11.

<sup>51</sup> Michael Kramer, article key to “War on Drugs in W;s Hand”, 2.

<sup>52</sup> Eva Bertram, et al, *Drug War Politics*, p 117.This work starts in the 1900s and discusses the paradigms and flaws that has plagued the efforts of change in drug policy. It touts a pervasive climate of denial.

author's contention is that the two percent reduction in enforcement funding was the negation of endstate analysis for political gain -- simple politics.

### **Setting the Stage (1992)**

The new Clinton administration wanted to deescalate the drug war that they inherited from the previous administration. Although the public had grown accustomed to hearing a get-tough line on drugs and crime, the issue on the minds of many constituents was the state of the economy. The public was not in any mood for reforms that would appear to be generous to drug dealers or users. The constraints facing a new president with a reformist drug-policy agenda, but no organized political constituency pressing for reform were formidable. Change would take a prolonged and visible struggle; it would demand expending political capital. Not surprisingly, drug policy quickly became a low priority for the Administration.

### **The Rhetorical Presidential Attack**

[George Herbert] Bush confused being tough with being smart, especially on drugs. He thinks locking up addicts instead of treating them before they commit crimes...is clever politics. That may be, but it certainly isn't sound policy, and the consequences of his cravenness could ruin us. Clinton argued for a policy of drug treatment on demand. Without it, the criminals will revert when they're released, and the problem will just get worse. Emphasizing treatment may not satisfy people fed up with being preyed upon, but a President should speak straight even if what he advocates isn't popular. If he sticks to his guns, the results will prove the wisdom of his policy.<sup>53</sup>

In 1992, President Clinton issued a strong attack on his opponent. The point that this statement illustrates was the clear unequivocal direction that the President articulated but failed to execute. His cabinet followed this direction and found themselves unable to expend the political influence necessary to see policy enacted and sustained. In order to change the course of the policy debate, which was advocated above, the cost could be in political power. A price that could jeopardize electoral success with a constituency that had grown accustomed to tough rhetoric.

Lee Brown, former head of the New York City Police Department, was appointed the

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<sup>53</sup> Michael Kramer, "Clinton's Drug Policy Is a Bust," *Time*, 20 December 1993, 35.

Director of the Office of National Drug Control Policy and in interviews and testimony emphasized the importance of seeing substance-abuse addiction as a health problem. Under Brown's leadership, the Office of National Drug Control Policy, ONDCP, released a national drug strategy that articulated a clear shift in emphasis:

Treating America's drug problem must start with an aggressive effort to finally break the cycle of hard-core drug use. Hard-core users, are about 20 percent of the drug-user population. Yet, they consume about 80 percent of the cocaine that's sold in the streets of our cities. They commit much of the crime and put a burden on our health care costs. It's a major problem. Previous strategies did not address the hard-core users.<sup>54</sup>

Attorney General Janet Reno ordered a review of mandatory sentences for drug offenses. She was concerned that "nonviolent offenders were often serving mandatory ten or fifteen year sentences, filling up the nation's prisons while we watch dangerous offenders going free."<sup>55</sup> The report found the impact of mandatory minimums to be severe: 60 percent of inmates in federal prisons were drug offenders, and a third of these were low-level dealers or couriers with no record of violence.<sup>56</sup>

After hearing statements from both Lee Brown and Janet Reno, White House officials worried that it would make Clinton look soft on crime, so they tried, unsuccessfully, to withhold the report, according to journalist Michael Massing.<sup>57</sup> To add to White House controversy, Surgeon General, Dr. Joycelyn Elders suggested that much drug-related crime might be caused by drug-enforcement policies; and legalization should at least be studied for its potential to reduce such policy-generated harms. The statements triggered a political firestorm. The backlash led the administration to lower its reformist rhetoric to avoid the political fights that change would require.<sup>58</sup> After 1992, this administration abandoned the fundamental change on the strategy and pursued political survival.

In May 1993, a Presidential review of the international counter-drug strategy determined that too much effort was being placed on interdiction in the Caribbean. It suggested that resources should be shifted to the drug source countries to enhance host nation interdiction, training, and support in order to

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<sup>54</sup> Office of the National Drug Control Policy, *National Drug Control Strategy* (1994), 23.

<sup>55</sup> Don De Benedictis, "How Long Is Too Long" *ABA Journal* 79 (1993): 74-70. Quoted in Bertram et al., *Drug War Politics*, 119. n. 56

<sup>56</sup> U.S. Department of Justice, *An Analysis of Non-Violent Drug Offenders with Minimal Criminal Histories* (Washington, D.C: GPO, 1994), 1-12.

<sup>57</sup> Michael Massing, "The Longest War," *Rolling Stone*, 20 April 1995,44.

<sup>58</sup> Eva Bertram, *Drug War Politics*, 119.

counter drug kingpins and their money laundering. The result of the review was Presidential Decision Directive (PDD) 14, which now serves as the framework for U.S. overseas counterdrug strategy and the basis for interagency planning.<sup>59</sup>

In November 1993, the U.S. Policy on International Counter narcotics in the Western Hemisphere established a strategy for combating the production and trafficking of cocaine. Among other things, the policy directed by the executive branch called for a gradual shift of resources from the transit zone of Mexico, Central America, and the Caribbean to the source countries of cocaine: primarily Colombia, Peru, and Bolivia. Joseph Kelley, Director of International Affairs Issues, National Security and International Affairs Division, testified before a U.S. House subcommittee:

According to the Department of Defense, the amount of resources applied to the transit zone has been significantly reduced. However, to date, we have not seen a shift in resources to the source countries. For example, the Drug Enforcement Administration is reducing its presence in Colombia, the U.S. Southern Command is now flying fewer sorties per month in support of source-country interdiction than it did in 1993, and counter narcotics assistance to each of the three primary source countries was less in 1995 than in 1991 or 1992.<sup>60</sup>

The statement above is an example of how cumbersome effecting change can be in a large organization. Often there are long lag times between shifts in priorities on paper and funding allocations and the resultant actions of multiple bureaucratic agencies.

The obvious explanation for the change from transit interdiction to source may be attributed to a flawed strategy. Interdiction in the transit zone was not making a significant change in the availability of cocaine in the United States. President Clinton needed to “get tough” on crime and show the American public that he was a leader of anti-crime legislation. Alternatively, in the words of Clinton’s drug czar, Lee Brown, “we want to see if we can stop drugs at the source. It’s easier to stop the drugs there than when they leave.”<sup>61</sup>

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<sup>59</sup> William W. Mendel, *Strategic Planning and the Drug Threat*, 63.

<sup>60</sup> Joseph E. Kelley, Director-in-Charge International Affairs Issues, National Security and International Affairs Division, GAO Testimony before the Subcommittee on National Security, et al. on the *Drug War: Observations on the U.S. International Drug Control Strategy*, June 27, 1995. “Corruption continues to undercut the willingness and ability of host nations to combat the drug trade. The U. S. Ambassador to Colombia said that corruption in Colombia is the greatest single impediment to a successful counter narcotics effort. Although the Colombian government has taken some steps to eliminate corruption, U.S. officials in Colombia told us that the United States still refused to share certain information with the government for fear that the information will be compromised, ongoing investigations will be undermined, and informants will be injured or killed”.

<sup>61</sup> Testimony, and see Office of National Drug Control Policy, *National Drug Control Strategy* 1995, 98.

This discussion would not be complete without acknowledging the failed historic opportunity that the President in particular had from 1992 to 1994. The President had political party control of both Congress and the White House, a situation that could have facilitated the passing of legislation. President Clinton's 1994 hard-core drug-treatment initiative, which sought a \$355 million increase in funding, failed to rally Democrats due to a prevailing anti-deficit climate that doomed the proposal. Drug treatment programs were weighed against social programs like Headstart preschool in the Appropriations Committee on Labor, Health and Human Services, and Education in the Senate, rather than considered separately like drug enforcement initiatives in other committees. By the time the proposal left committee it was only one fifth of the original request.<sup>62</sup> "In the end Clinton won a mere \$57 million of his proposed \$355 million increase, and lost the stipulation that the funds would be restricted to treating hard-core users."<sup>63</sup>

Not surprisingly, Republicans in Congress rallied and gained political capital by attacking Democratic commitments to social programs for drug treatment and prevention. Senator Phil Gramm on the drug treatment initiative stated, "the Clinton strategy reflects a fundamental view of most Democrats that when things go wrong, society is to blame, and more social programs are the answer."<sup>64</sup> Newt Gingrich, then House minority whip, took aim at the drug treatment proposals particularly in the 1994 crime bill and attacked them as "social pork ...and forced the Democrats to toughen the bill by trimming \$2 billion in prevention spending from the measure. Gingrich claimed a partisan victory: We strengthened the House Republican Party....We cost our political opponents a lot."<sup>65</sup>

After the 1994 congressional elections, the Republicans won control of Congress and sought to get tough on the drug war. A letter to Clinton's drug czar from incoming Senate Majority Leader Robert Dole (R-Kansas) and Senator Orrin Hatch (R-Utah) illustrated the agenda.

Two years of decreased prosecutions, increased hand-wringing about treatment and hard-core addicts, retreat on interdiction efforts, and an abandoned bully pulpit have led to more drugs on our streets, increased drug use and a darker future for our younger citizens. Reversing these trends will be a priority for the Republican congress and should be a priority for the Clinton administration.<sup>66</sup>

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<sup>62</sup> Eva Bertram et al, *Drug War Politics*, 148.

<sup>63</sup> Clinton did not press hard for his prevention initiatives either. As a result, congress cut the fiscal 1995 request for \$660 million for school-based prevention programs to \$87 million. Office of National Drug Control Policy, *National Drug control Strategy Budget Summary* (1995), 17.

<sup>64</sup> John Dillon, "Clinton Adds an Ounce of Prevention to Drug War", *Christian Science Monitor*, 11 February 1994.

<sup>65</sup> Peter J. Boyer, "Whip Cracker", *New Yorker*, 5 September 1994, 38.

<sup>66</sup> U.S. House of Representatives, Committee on Government Reform, "Clinton Drug Policy," 14 February

The stage was set for an escalation of political rhetoric and get tough gestures as oppose to a serious look at fundamental changes in a failing strategy. The priority was clearly survival: 1996 was a presidential election year.

## **Resource Trends: Supply versus Demand Programs**

According to several authors, the implementation of the 1994 National Drug Strategy of the Clinton Administration appeared to be a step backwards. The record according to the Government Accounting Office in 1995:

The staff of the Office of National Drug Control Policy reduced by 80%. An executive order reduced military interdiction, eliminated 1,000 anti-drug positions. Interdiction funds for the Customs Service and the Drug Enforcement Agency, DEA, were cut. Mandatory minimum sentences for drug traffickers were shortened. Three hundred fifty five DEA agents and 102 personnel from the Justice Department's organized crime drug enforcement task force were eliminated. In addition, the National Security Council dropped the drug issue from the top to the bottom of the list of 29 priorities.<sup>67</sup>

However, the listing divorced from the political intent leads to misleading conclusions. According to the book, *The Politics of Denial*, the intent of reorganizing federal drug war agencies was for two reasons: "he [Clinton] wanted to meet his campaign pledge to downsize the federal government, and he wanted to make federal drug-control efforts more efficient and effective."<sup>68</sup> The reduction of the ONDCP, to meet a campaign promise eliminated all but 25 of the agency's 146 positions, which by some accounts had become a haven for Republican political appointees.<sup>69</sup> In the end, Congress rejected the president's proposal, requiring the office to retain at least 40 staff and doubling his proposed budget for the office.<sup>70</sup>

A second attempt at bureaucratic reform came when Clinton backed an FBI-sponsored proposal to merge the twenty-year old DEA, a product of Nixon's drug war, into the FBI. Vice President Al Gore promoted the change as an effort to end costly duplication and turf wars in the anti-drug effort; Gore also suggested that the proposed merger would save \$84 million. Under the proposal, the DEA, a separate

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1995, press release.

<sup>67</sup> GAO, "Drug Control: The Office of National Drug Control Policy, Strategies Need Performance Measures, Testimony by Henry R. Wray before several subcommittees. See also Matthew Robinson, "Another Shot in War on Drugs", *Investors Business Daily*, September 11, 1995, page 1.

<sup>68</sup> *The Politics of Denial*, 120.

<sup>69</sup> Ibid.

<sup>70</sup> "Appropriations: Treasury/Postal Service," *Congressional Quarterly Almanac*, 1993, 688. Public Law 103-123, enacted on October 28, 1993, appropriated \$11.7 million and provided for no less than 40 full-

entity within the Justice Department, would become a division of the FBI.<sup>71</sup>

Again, the initiatives for changing the policy was received with strong opposition, and helped to perpetuate the perception that the Clinton administration was soft-on-crime despite the reality that Federal funds for demand reduction programs only increased by 2 percentage points. The 1992 Bush budget percentage share was 31% for demand reduction programs and the Clinton share was 33% for both 1993 and 1994. Furthermore, the administration's 1995 drug strategy reflected a further retreat on several policy fronts. The rhetorical emphasis on hard-core treatment remained, but the total increase requested for demand reduction programs was \$189 million, only 14 percent of the total \$1.3 billion drug-budget increase requested: and a far cry from the previous year's \$355 million request.<sup>72</sup>

The U.S. General Accounting Office reviewed the administration's efforts and concluded that the annual strategies have directed significantly more resources to the drug control efforts than ever before. Referring to the Clinton administration, "they also continued a trend, started about 10 years earlier, that emphasized funding supply reduction activities, with about 66 percent of recent funding going to domestic law enforcement, interdiction and international activities, and 34 percent going to treatment and prevention."<sup>73</sup> The point that this unbiased government report makes was that the Clinton administration's commitment to change the strategy failed. The report was critical of the administration's progress in reducing hard-core drug use. It recommended that performance measures be implemented to better access progress with drug use reduction.<sup>74</sup> This was significant because it marked the only attempt in the decade to retreat from the get-tough drug enforcement policy. The cost-benefit analysis of a two percent change was high in political power.<sup>75</sup>

The new conservative Congress voiced strong opposition to Clinton's modest reforms, and the release of the *1995 National Drug Control Strategy* received sharp criticism. The president was attacked,

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time equivalent positions for ONDCP in fiscal year 1994.

<sup>71</sup> Jerry Seper, "Criticism of FBI-DEA Merger Grows," *Washington Times*, 30 September 1993.

<sup>72</sup> Richard Whitmire, "Clinton Unveils Drug Strategy, Some Experts Disagree on Focus," *Gannett News Service*, 7 February 1995.

<sup>73</sup> U.S. GAO, Testimony, "Drug Control: The Office of National Drug Control Policy-Strategies Need Performance Measures". Statement of Henry Wray, Director Administration of Justice Issues, General Government Division. November 1993.

<sup>74</sup> *Ibid.*

<sup>75</sup> Dr. Herbert D. Kleber, a deputy director of the ONDCP during the George H. Bush presidency, reinforced this point. Political leaders, he said, fear that spending more on treatment and less on enforcement will hurt them politically: There's still a moralistic feeling that, Why should we put tax dollars into treating

this time for his emphasis on hard-core users (he was accused of abandoning young, casual users and of wasting money on hard-core addicts whom conservatives classified as largely untreatable, unredeemable, and undeserving of care).<sup>76</sup> Above all, Clinton was condemned for deescalating the drug war rhetoric and for failing to use the president's bully pulpit to wage a zealous battle against all drug use.<sup>77</sup>

Such opposition underscored the political costs a reform-minded president faces in promoting drug policies that run counter to punitive, supply reduction programs. To argue for meaningful reforms demands challenging the logic and symbols of tough enforcement and drawing fire from interdiction advocates. Rather than fight for his principles President Clinton mollified his critics with the appointment of a new get-tough appointee, Barry McCaffery.

## **CHAPTER THREE- CLINTON ADMINISTRATION:**

### **SECOND TERM**

After the lessons learned from the first term, President Clinton made changes to ensure that his second term perception as a leader was of tough enforcement. The administration had paid a political price for reform initiatives that had no overwhelming public support. Domestically, the appointment of a new tough-minded national drug director and the use of the presidential certification process abroad characterized the next four years. The two policy initiatives that transcended his term of office were “Plan Colombia” and the National Drug

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something that people have brought on themselves. Quoted in *Drug War Politics*. 173.

<sup>76</sup> See John Dillion, “Clinton Adds an Ounce of Prevention to Drug War,” *Christian Science Monitor*, 11 February 1994; Robert C. Bonner, Testimony before the Subcommittee on National Security, International Relations, and Criminal Justice, Committee on Government Reform and Oversight, U.S. House of Representatives, 9 March 1995; and Jerry Seper, “GOP Senators Vow to Give Priority to War on Drugs,” *Washington Times*, 24 December 1994. In particular, administration cited for minor cutbacks in interdiction (a reported rise in casual drug use was blamed on these reductions, despite the fact that the increase had begun in 1991 at the height of the Bush drug war).

<sup>77</sup> See William J. Bennett, Testimony before the Committee on the Judiciary, U.S. Senate, 10 February 1995; Penny Bender, “Biden: GOP-Led Congress, Clinton Fall Short in Drug War,” *Gannett News Service*, 10 February 1995; Bonner, Testimony; and Michael Hedges, “Bipartisan Critics Rip Clinton’s Drug Policy,” *Washington Times*, 7 March 1995.

Control Strategy 2001. Finally, the chapter explores implications from the Clinton years regarding drug control policy.

## **Setting the Stage (1996)**

The new administration wanted to escalate the drug war. They had miscalculated the political backlash of the Congressional Republicans in 1994. The Republicans capitalized in the media with critical policy statements and surveys that lamented the failings of administration.<sup>78</sup> Surveys were used often to gauge the mood of the nation concerning perceptions of the government's response to the illegal drug problem.<sup>79</sup> The President needed to reverse the perception of his administration being soft on crime and drug traffickers. Political capital for fundamental change was bankrupt. Escalation of the drug war was politically expedient.

## **New Drug Director: Barry McCaffery**

According to the *National Review*, when McCaffery retired from the military in 1996 to become Director, Office of the National Drug Control Policy, ONDCP, he was the youngest and most decorated four-star general in the Army. His appointment helped the administration's new commitment to the get-tough approach.<sup>80</sup> "The appointment was widely seen as a direct response to Republican election –year criticisms that the president was soft on drugs."<sup>81</sup> President Clinton's national drug effort had faltered badly during the first term and McCaffery stated, "I'd

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<sup>78</sup> The House Policy Committee, "Policy Statement: How to Win the War on Drugs", September 18, 1996. accessed on internet <http://www.house.gov/republican-policy/documents/statements/1996/drugs>. 4/12/01.

<sup>79</sup> National Drug Control Strategy, "Performance Measures of Effectiveness". Gauging the process toward achieving the Strategy's goals and objectives was done from data from the Partnership Attitude Tracking Study (PATS) by the Partnership for a Drug-Free America and the National Household Survey on Drug Abuse. 17-19. See GAO report "Drug Control: The Office of National Drug Control Policy", November 1993, for critique on the use of surveys to measure effectiveness.

<sup>80</sup> Jay Nordlinger, "Clinton's Good Soldier. (General Barry McCaffrey; President Bill Clinton)", *National Review*, May 3, 1999. "Barry McCaffery is the most un-Clintonian member of the administration. He is an almost anachronistic representative of the warrior class, an exemplar of the warrior virtues."

<http://www.findarticles.com> accessed on 4/15/01.

<sup>81</sup> Peter Zirnite, "The Militarization of the Drug War in Latin America", *Current History* vol 97 no 618, 173. Author states that politics shapes the course of U.S. policy more than the realities of the drug problem, the future role of the military in fighting drugs ultimately may be decided by whichever of two strong popular currents proves to be the more powerful in terms of generating public pressure."

watched the incumbent, Lee Brown, get handled badly by the system.”<sup>82</sup> The system was the get-tough mantra that characterized presidential and congressional politics.

The 1996 Strategy goals were not vastly different from the previous years. According to the “National Drug Control Budget” figures, the major difference was a reduction in demand reduction funding and a corresponding rise in law enforcement.<sup>83</sup> Politically the change signaled a shift in priorities. Strategic shifts of a failed policy continued to produce operational failures in the fight against the supply of illegal drugs. The nation’s ability to execute operational patience in providing more resources to a strategy that had no basis for success was remarkable. However, change and escalation alone did not guarantee success. A comparison chart using retail product cost and purity from the 1999 National Drug Control Policy Report reinforces the dubious nature of declared “success.”<sup>84</sup>

Product/ Year	1981	1999
Cocaine Cost	\$191/gram	\$44/gram
Cocaine Purity	59%	66%
Heroin Cost	\$1194/gram	\$317/gram

Table 2. Purity and Cost Trend Analysis

If the strategy was successful, the retail price of illegal drugs should rise and the purity should have decreased over time.<sup>85</sup> The Government Accounting Office documented other failings of the strategy in a 1995 report that includes testimony from Joseph Kelley, Director International Affairs Issues. Kelley observed that the shift in strategic focus from transit interdiction to source

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<sup>82</sup>Ibid.

<sup>83</sup> National Drug Control Budget 2001, Table 5: National Drug Control Budget by Function , FY 1992-2002. The increase of law enforcement to 67% represented the highest percentage during the decade. Demand reduction funding reached a decade low of 29% during FY 1999 and 2000.

<sup>84</sup> *Drug Data Summary*. Office of the National Drug Control Policy, 1999, 4.

<sup>85</sup> Mathea Falco, *Rethinking International Drug Control: New Directions for U.S. Policy*, Council on Foreign Relations, Independent Task Force Report. New York, 1997. Author states that if America’s overseas drug control initiatives are succeeding (through interdiction, crop eradication, destruction of laboratories and arrests of traffickers), drugs coming into this country should be increasingly expensive and less pure.

countries was not effectively coordinated for resources or interagency coordination.<sup>86</sup> The most compelling realization for this conclusion occurred during a speech to the Heritage Foundation, 11 January 1996, the discovery of General (Ret) Barry McCaffrey, the appointed director of the ONDCP in reference to the U.S. strategy: “I think we’re achieving tactical successes without making an operational difference.”<sup>87</sup>

#### Presidential Certification.

On March 1, 1996 and again on February 28, 1997, President Clinton made the decision not to certify Colombia for not fully cooperating with the U.S. or taking adequate steps on its own to meet the objectives of the 1988 UN Convention on drugs. The decertification announcement on March 1, 1996 occurred during the midst of a major political scandal in Colombia, linking President Samper to contributions by drug traffickers to his 1994 presidential campaign.

Under certification legislation, the U.S. government was required to halt non-humanitarian and non-counter narcotics aid to Colombia and to vote against loans to Colombia by certain multilateral development banks.<sup>88</sup>

On February 26, 1998, the President determined that the vital national interests of the U.S. required that assistance to Colombia be provided to meet the increasing challenges posed to counter narcotics efforts in Colombia. The President thus granted Colombia a national interests certification, which waived the restrictions of decertification and allowed for broader U.S. engagement with Colombia in the fight against illegal narcotics.<sup>89</sup>

Critics of the program contend that the U.S. employed a double standard regarding certain countries. Observers point out that Mexico’s annual commerce with the U.S. was \$80-90 billion, compared

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<sup>86</sup> GAO, “Drug War: Observation on the International Drug Control Strategy”, June 1995. Testimony by Joseph E. Kelley, Director International Affairs Issues. One of the observations stated that the executive branch has had difficulties implementing a key part of its strategy-shifting resources from the transit zone to the source countries. In addition, the many agencies involved do not always coordinate their efforts.

<sup>87</sup> Comments from Barry McCaffery made at the Heritage Foundation, January 11, 1996. The Heritage Foundation is a research and educational institute - a think tank - whose mission is to formulate and promote conservative public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense. <http://www.heritage.org>.

<sup>88</sup> U.S. Department of State, Background Notes: Colombia, March 1998. Released by the Bureau of Inter-American Affairs. Electronic Research Collection.

<sup>89</sup> Ibid.

to Colombia's \$6-7 billion.<sup>90</sup> Mexico has traditionally been certified regardless of chronic problems with its drug control effort, because it is a major U.S. trade partner.<sup>91</sup> Countries such as Burma, Iran, and Syria where U.S. influence is slight or non-existent were consistently denied certification.<sup>92</sup> According to an independent task force report, Iran pursues a vigorous drug control effort, forcibly eradicating opium crops, seizing large stocks of drugs, arresting users and executing traffickers.<sup>93</sup> By contrast, Russia was both a substantial opium producer as well as transit country and money-laundering center of importance but it was not included on the list of countries requiring certification.<sup>94</sup> Mexico, Iran, and Russia serve as interesting examples of the influence of politics regarding certification. Such inconsistencies not only caused resentment in neighboring countries, they also undermined the credibility of the policy. Congress as an annual reporting requirement mandated establishing the credibility of the results. The next chapter will explore some of the challenges with the task.<sup>95</sup> The certification waiver for Colombia in 1998 set the stage for the development of Plan Colombia.

Plan Colombia was linked to the U.S. National Drug Control Strategy primarily through one goal. To break foreign and domestic drug sources of supply was the U.S. goal that supports the supply reduction efforts of Plan Colombia.<sup>96</sup> Although some media credits McCaffrey as the leading architect of \$1.3 billion in chiefly military aid, a closer examination would suggest a much broader plan.<sup>97</sup>

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<sup>90</sup> Mathea Falco, *Rethinking International Drug Control*, 26.

<sup>91</sup> George Kourous, "Bush, If Not Careful, Could Get Outfoxed", Foreign Policy In Focus, <http://www.irc-online.org/bordline/updater/2001/feb7outfoxed.htm> accessed on 4/12/01.

<sup>92</sup> U.S. Department of State, *International Narcotics Control Strategy Report*, March 1995, vii. Report shows certification decisions over a 8 year span, 1987-1995.

<sup>93</sup> *Rethinking International Drug Control*, 27.

<sup>94</sup> *Ibid.*

<sup>95</sup> The evaluation of the ONDCP national strategies lacked good performance measures and information not only limits evaluation of current strategies, but also impedes consideration of new drug control initiatives. The 1993 GAO report, *The Office of National Drug Control Policy: Strategies Need Performance Measures*, prompted Congress to mandate the requirement in Public Law 105-277. It codified the Performance Measures of Effectiveness into law, requiring ONDCP to submit annual PME reports to Congress. The PME system was established in 1998 using 1996 as the baseline year, but the first report was not published until 2000.

<sup>96</sup> *Ibid.*, A-2.

<sup>97</sup> "Drug czar McCaffrey cites both progress and setbacks in report to Congress", CNN, March 24,2000, <http://europe.cnn.com/2000/ALLPOLITICS/stories/03/24/drug.policy> accessed on 4/13/01.

### Plan Colombia.

Plan Colombia is the Colombian Government's strategy to leverage the financial resources of the United States to help strengthen the institutions of the state and promote a peace plan to end a 40-year-old insurgency conflict. According to President William Clinton,

Plan Colombia provides a solid, multifaceted strategy that the U.S. should support with substantial assistance. We have a compelling national interest in reducing the flow of cocaine and heroin to our shores, and in promoting peace, democracy, and economic growth in Colombia and the region. Given the magnitude of the drug trafficking problem and their current economic difficulties, neither the Government of Colombia nor its neighbors can carry the full burden alone.<sup>98</sup>

Plan Colombia is a \$7.5 billion plan, which among other things, proposed reducing the cultivation, processing, and distribution of narcotics by 50% over 6 years. Colombia pledged to provide \$4 billion to support the plan and called on the international community, including the U.S., to provide the remaining \$3.5 billion. The original version of the Plan was focused on the peace process and addressed the promotion of specific projects in concert with negotiations with the insurgency.<sup>99</sup>

In authorizing the aid for Plan Colombia, Congress demanded the elimination of all of Colombia's coca and opium poppy cultivation by 2005. That would almost certainly mean a corresponding increase in coca cultivation by Peru, Bolivia, and Ecuador. One reason Colombia became the source of nearly 90 percent of the world's cocaine and a growing portion of heroin was in response to U.S. interdiction. The pressure on coca and poppy production in Peru, Bolivia, and Ecuador, increased Colombian coca production 140 percent, 300,000 acres in five years.<sup>100</sup> President Clinton's support for this measure was antithetical to the principles of reform that he expressed during the first year of his first term of office.

Other supporters of the plan discussed the benefits of a long-term engagement strategy in Colombia based on source country programs. U.S. Department of State states that the supply reduction efforts outlined in Plan Colombia were essential to reducing the availability of illegal drugs and giving domestic U.S. demand reduction programs a better chance of success.<sup>101</sup> Other supporters see the threat to

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<sup>98</sup> President Clinton's statement on assistance to Colombia, 11January 2000, US embassy, op.cit.

<sup>99</sup> For a comparison of the Original version of Plan Colombia and the history concerning its transformation into a U.S. and European Union version see. "Plan Colombia A Strategy Without End" report. TNI(Transnational Institute think tank website).

<sup>100</sup> George Will, "Fighting a Supply-Side War on Drugs is Exercise in Futility", *Duluth News-Tribune* (MN), Fri, 19 Jan 2001, <http://www.duluthnews.com>, accessed on 4/12/01.

<sup>101</sup> U.S. Department of State, International Information Programs, Washington File Fact Sheet:

Colombia's sovereignty manifested through left wing insurgencies, right wing paramilitary forces, narco-traffickers, and governmental corruption. Plan Colombia touts a multi-pronged attack that leverages national power and institutions beyond the traditional military force option. Author Gabriel Marcella, PhD, Department of National, and International Security Studies at the U.S. Army War College, in an April 2001 monograph stated, "the Plan provides an excellent foundational strategy that must be further developed, applied to the entire country, and sustained for many years to come."<sup>102</sup> Again, the endstate for success was the continued extraction of funds from U.S. coffers. Although Marcella's monograph advocates support for Plan Colombia, it concluded with a strong statement for demand reduction policies. "The best this nation [U.S.] can do for Colombia is reduce its appetite for cocaine and heroin."<sup>103</sup> Perhaps the most disturbing aspect of the work was the claim that 85% of the drug control budget is on demand reduction. The source of the claim was not cited for verification.<sup>104</sup>

Overall, critics cite three reasons why they opposed the funding of Plan Colombia: significant government corruption, human rights conflicts of interest, and crop eradication ineffectiveness. The plan requires the Government of Colombia, GOC, to ensure that funding for their army is only used by units that meet stringent human rights criteria. However, only 2% of the \$1.3997 billion two-year aid package goes to the improvement of human rights conditions, only 2% goes to judicial reform, and only 3% goes to law enforcement and the rule of law.<sup>105</sup> "More than \$900 million of the U.S. contribution to Plan Colombia will go to military and police

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"Counternarcotics Efforts in the Andean Region," 18 August 2000, [www.usinfo.state.gov/regional/ar/colombia/fact16.htm](http://www.usinfo.state.gov/regional/ar/colombia/fact16.htm) accessed on 2/22/01.

102 Gabriel Marcella, "Plan Colombia: The Strategic and Operational Imperatives", This is a Special Series edition to rally support for Plan Colombia in response to growing controversy concerning the strategy, 6. For a historical work on Colombia see Bergquist, Charles W. Violence in Colombia: The Contemporary Crisis in Historical Perspective.(Wilmington, DE: SR Books, 1992). Carrigan, Ana. The Palace of Justice: A Colombian Tragedy.( New York, NY: Four Walls Eight Windows, 1993). For a comparison to El Salvador see Shaha, Partick J. "Prospects for Peace in Colombia: "Plan Colombia" and the El Salvador Experience", School of Advanced Military Studies, United States Army Command and General Staff College, May 2000. Fort Leavenworth, Kansas.

<sup>103</sup> Ibid, 19.

<sup>104</sup> Gabriel Marcella, "Plan Colombia. The Strategic and Operational Imperatives",15.

<sup>105</sup> White House Office of National Drug Control Policy, "Clinton Administration's Proposal for U.S. Assistance to Plan Colombia", Analysis by Kristy Gomes, Research Assistant, Criminal Justice Policy Foundation, <http://www.cjpf.org/pubs/ColombiaPaper.html>. accessed on 3/7/01.

equipment, including attack helicopters and other lethal aid.”<sup>106</sup> The GAO reported that if the historical maintenance and logistical issues with equipment was not addressed, the dramatic increase in U.S. support for Plan Colombia would not be used in the most effective way. Furthermore, the total costs and specific programs required to meet the Plan Colombia’s goals remain unknown, and a significant reduction in drug production and trafficking activities will likely take years to materialize.<sup>107</sup> According to researcher Kristy Gomes, these were the majority of objections to Plan Colombia expressed during the 19 February U.S. House of Representatives debate,

(1) the supply-side approach to reducing drug use is ineffective, (2) the Colombian military should not receive U.S. aid when it has such a poor human rights record, and (3) U.S. involvement in Colombia has no defined objective or exit strategy, thus creating potential for a military quagmire like Vietnam. Other criticism focused on the uncertain length of the U.S. involvement.<sup>108</sup>

Other critics of the U.S. administration’s aid package expressed fear that Colombian President Andres Pastrana might divert military aid to help the Colombian army in its civil war.<sup>109</sup> However, its most ardent critics reject Plan Colombia because it uses an authoritarian concept of national security exclusively based on a strategy against narcotics. According to a policy statement from the European Union, Plan Colombia was flawed because;

It will lead to the escalation of the social and armed conflict. It fails to provide real solutions to drug trafficking. It endangers the peace process. It attacks the indigenous populations by destroying their culture and their way of life, and it will seriously affect the Amazon eco-system. It will worsen the humanitarian and human rights crisis, increase forced displacement, and aggravate the social and political crisis.<sup>110</sup>

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<sup>106</sup> Carol Clark, “Plan Colombia: Is the U.S. addicted to military fixes?”, article found on CNN website <http://www.cnn.com/SPECIALS/2000/colombia.noframes/story/essay> accessed on 2/28/01.

<sup>107</sup> United States General Accounting Office, Testimony, “Drug Control: Challenges in Implementing Plan Colombia”, October 12,2000 and the GAO Report “Drug Control: U.S. Assistance to Colombia Will Take Years to Produce Results”. October 2000. Report states that for two decades, the U.S. has supported Colombia’s efforts to reduce drug-trafficking activities and to stem the flow of illegal drugs into the U.S. The U.S. National Drug Control Strategy calls for a 15 percent net reduction in the flow of illegal drugs from source countries, including Colombia, by 2002. This will be a challenge that may not occur.

<sup>108</sup> Hearing of the House Appropriations Foreign Operations Subcommittee of the U.S. House of Representatives, February 19, 2000. [www.cjpf.org/pubs/ColombiaPaper.html](http://www.cjpf.org/pubs/ColombiaPaper.html).

<sup>109</sup> State Department Correspondent Andrea Koppel report “Colombia drug production hits emergency levels, U.S. says”, Feb,15 2000 [www.cnn.com/2000/World/americas/02/15/colombia.us.aid](http://www.cnn.com/2000/World/americas/02/15/colombia.us.aid) accessed 3/4/01.

<sup>110</sup> The European Union, Amnesty International, Center for International Policy, U.S. GAO testimony,

Finally, several writers contend that U.S. officials help devise the plan to cover a failing Strategy and an outgoing U.S. President who has been allegedly soft on reducing the impact of illegal drugs.<sup>111</sup>

## Analysis and Implications

Authors Eva Bertram and others argued that the drug war was making the problem it is supposed to solve worse because it attacked the wrong enemy. The real enemies were not the peasants or low-level dealers the main targets of law enforcement. Rather, the enemy was the market for a product that was easy to produce, in great demand and highly lucrative<sup>112</sup> Perhaps the Clinton Administration saw the threat in terms of political pragmatism rather than the market.

The Clinton Administration's second term reinforced the tough enforcement approach. An analysis of fiscal funding for both the beginning of the term, 1996 and 2000 supports the point. The highest percentage for federal spending on enforcement and interdiction occurred in 1996. The appointment of Gen. (Ret) Barry McCaffery, former SOUTHCOM Commander, to the Director, National Drug Control Policy helped solidify the image makeover that the administration sought. The stigma of the administration of being soft on drug abuse and crime from the first term needed to be changed for political gain. Political tactics used to display a new approach was the presidential decertification of Colombia in both 1996 and 1998. The controversial Plan Colombia support helped solidify the get-tough approach with supply reduction programs because of the large military aid. The year 2000, election year, marked the lowest percentage of federal spending on demand reduction programs. The administration's first report to the U.S. Congress concerning efforts to quantify performance of the drug control strategies made for interesting analysis. The Clinton administration stated it was winning the war on drugs despite the decreasing market price of cocaine and heroin, and the rise in drug purity levels.

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Human Rights Watch, NGOs, are just a small contingent of sources that do not support the increase in U.S. Military aid to the conflict.

<sup>111</sup> Hearing at a House Subcommittee on Drug Policy, Committee chairman Dan Burton, Republican of Indiana, said the Clinton administration should focus less on talking to the FARC guerillas, which he said will fail, and focus more on fighting them. Cited from PBS Online Newshour transcript, Colombia in Crisis, air date August 11, 1999., Located at [www.pbs.org/newshour/bb/latin\\_america/july-dec99/colombia\\_8-11a.html](http://www.pbs.org/newshour/bb/latin_america/july-dec99/colombia_8-11a.html) accessed on 3/04/01.

<sup>112</sup> Eva Bertram et al, *Drug War Politics*, 13. The authors in this work provide a comprehensive analysis of both economic and political paradigms that support a national drug policy that fills U.S. prisons, depletes budgets, and destroys the poor. It attempts to answer why a nation continues to support a strategy that is by

Given the Congressional mandate in Public Law 105-277 in the first term to quantify progress in the drug strategy, the administration developed the Performance Measures of Effectiveness Report, PME. Although the PME was designed as a systematic approach to the problem, the heavy reliance on surveys and estimates reduced its objectivity. By its own standards, the Drug War had failed. The next chapter explores the performance measures.

## **CHAPTER FOUR- PERFORMANCE MEASURES**

As of April 15, Strategy 2001, signed during the Clinton Administration serves as the strategy document for the new George W. Bush Administration.<sup>113</sup> For the benefit of the next discussion, it is important to note that the *1996 Strategy* established five goals and thirty-two supporting objectives as the basis for a coherent, long-term national effort. These goals remain the heart of the *Strategy 2001* and will guide federal drug control agencies over the next five years.<sup>114</sup> The five goals were:

- (1) Educate and enable America's youth to reject illegal drugs as well as alcohol and tobacco.
- (2) Increase the safety of America's citizens by substantially reducing drug-related crime and violence.
- (3) Reduce health and social costs to the public of illegal drug use.
- (4) Shield America's air, land, and sea frontiers from the drug threat
- (5) Break foreign and domestic drug sources of supply.<sup>115</sup>

The methodology used to quantify results associated with the goals was a point of contention. Political action groups and government officials were very interested in how the success and failures were presented to the public. The Clinton administration had a mandate from Congress

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overwhelming accounts, failing. The work is an excellent source document for the drug policy debate.

<sup>113</sup> Office of the National Drug Control Policy, Press Release, "Overview of FY 2002 Drug Control Budget", Washington D.C. 9 April, 2001. "In total, \$19.2 billion is recommended for drug-related funding to support the five goals and 31 objectives of the National Drug Control Strategy. This represents an increase of \$1.1 billion over the FY 2001 enacted level." Internet. Available from <http://www.whitehousedrugpolicy.gov/news/press01/040901.html>; accessed on 9 May 2001.

<sup>114</sup> William J. Clinton, The National Drug Control Strategy: 2001 Annual Report, Washington DC, Office of the National Drug Control Policy (ONDCP) can be accessed via the Internet <http://www.whitehousedrugpolicy.gov.htm>, January 25, 2001.

<sup>115</sup> National Drug Control Strategy: Performance Measures of Effectiveness, A-1-A2.

to show quantifiable results, during an election year.<sup>116</sup>

## Measures of Effectiveness

Wars, however, are not political games, they are not exercises in political imagery, and they cannot be won with rhetoric or false measures of success. The measures of success that are being made public have virtually no practical meaning.

Senator John McCain (R-Arizona) 1998.<sup>117</sup>

Senator John McCain of Arizona, responding to the continuing failure of the U.S. government to create a realistic drug strategy, concluded that it is easy to talk of a war on drugs. Statements and data would then include political rhetoric that sheltered the lack of real success. A good example is the attainment of Goal 4: Shield America's air, land, and sea frontiers from the drug threat. In response to stopping the flow of illegal drugs into the United States, McCaffrey cited "huge increases in drug seizures by the customs service and the Coast Guard."<sup>118</sup> The problem with the measurement was that there are only estimates to how much was not interdicted. Reporter Major Garrett of CNN stated "it is unclear if such figures indicate an actual decrease of illegal drug flow into the country. Street prices for heroin and cocaine have never been lower and the purity of those drugs never higher."<sup>119</sup>

The most incredulous logic was from the following statement from the year 2000 Performance Measures of Effectiveness report: "cultivation of Bolivian and Peruvian coca continues to decline, which should translate into future reductions in cocaine availability in the United States. These rates are on track or exceed expected targets."<sup>120</sup> This statement alone was proof that the "hydra effect" occurred when supply reduction efforts occurred in the Andean region. The U.S. State Department concedes that Colombia is now the world's leading supplier of refined cocaine and a growing supplier of heroin,

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<sup>116</sup> This Performance Measures of Effectiveness: 2000 Report, presents for the first time a systematic assessment of the effectiveness of the National Drug Control Strategy (Strategy). The ONDCP must submit this annual report to Congress by law. The PME System established 97 performance targets, of which twelve indicate the impact of national drug-control activities on the Strategy's five overarching goals. Almost all the performance targets was assessed against 1996.

<sup>117</sup> Senator McCain makes a scathing retort on meaningless measure of capability derived from reporting the number of detections, arrests, or intercepts, with no attempt to relate this to the number of successful crossings or actual convictions, or whether such actions have any real effect on the flow of drugs. In addition, he is highly critical of the media and law enforcement officers who describe seizures in street prices; major smugglers do not pay street prices.

<sup>118</sup> Office of National Drug control Policy, Performance Measures of Effectiveness: 2000Report, iii.

<sup>119</sup> Major Garrett, "Drug Czar McCaffrey cites both progress and setbacks in report to Congress, CNN, 24 March, 2000, <http://europe.cnn.com/2000/ALLPOLITICS/stories/03/24/drug.policy>. Accessed on 4/13/01.

<sup>120</sup> Office of National Drug control Policy, Performance Measures of Effectiveness: 2000Report, iii.

especially to the United States.<sup>121</sup> David Passage, U.S. Ambassador to Colombia, 2000, stated:

The test of the effectiveness of our effort to stamp out the production and transshipment of illegal narcotics to the United States is not how many hectares on the back side of the Andes have been burned, how many acres of coca or opium poppies have been sprayed, how many labs have been smashed, 55-gallon barrels of precursor chemicals poured into the headwaters of the Orinoco and Amazon, drug kingpins arrested, cartels broken up, small drug-carrying aircraft forced or shot down, or “mules” arrested at U.S. ports of entry.<sup>122</sup>

The U.S. ambassador continued the argument for a higher standard of effectiveness. “The only valid test of the effectiveness of our effort is its impact on street-corner availability of drugs within a 5-block radius of the average American middle school.”<sup>123</sup> Eric Sterling of the Criminal Justice Policy Foundation supports the test of availability of drugs to youth as the valid test. Sterling, former principal aide in developing the Anti-Drug Abuse Acts of 1986 and 1988 which created the source country certification requirement, the mandatory minimum sentences, the Federal crime of money laundering, and the Office of Drug Control Policy, testified to the U.S. House of Representatives, Committee on Appropriations, on ‘McCaffery’s attempts to sweep monumental failure under a rug.’<sup>124</sup>

Our policy is not keeping drug out of the hands of kids. High school seniors report that heroin and marijuana are more available now than at almost any point since 1975. Marijuana was “fairly easy” or “very easy” to get for 90.4% of seniors in 1998, the highest point in history. Heroin was “fairly easy” or “very easy” to get for 35.6% of seniors, compared to 24% in 1975, and 18% in 1979, at the height of the modern drug epidemic. Availability of heroin to high school students has increased by 1/3 since the Anti-Drug Abuse Act of 1986 was passed, when it was 22 percent.<sup>125</sup>

The claim by McCaffery that the nation was winning certainly must be qualified. Earlier, the paper

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<sup>121</sup> U.S. Department of State, Background Notes: Colombia, March 1998, Released by the Bureau of Inter-American Affairs. Electronic research Collection //dosfan.lib.uic.edu/ERC/bgnotes/wha/colombia9803. accessed on 4/13/01.

<sup>122</sup>David Passage, “The United States and Colombia : Untying the Gordian Knot”, (Pennsylvania: U.S. Army War College, 2000), 28. See also GAO testimony from official Arnold P. Jones who cited as evidence of failure, a decrease in the price of drugs, an increase in their purity, and a rise in drug-related hospital emergencies.

<sup>123</sup> Ibid.

<sup>124</sup> Eric Sterling, president, Criminal Justice Policy Foundation, “Can’t Sweep This Under the Rug” testimony to the House Committee on Appropriations, March 23,2000. This is a very critical report on Barry McCaffrey’s National Drug Control Strategy report that claims progress in fight against drug abuse. Sterling states that the indices that Gen. McCaffrey are most proud of are the least important.”

<http://www.nationalreview.com/document/documentprint041200.html>.

<sup>125</sup> Ibid.

explored the price and purity dynamics that made it difficult for some to claim victory. Given some of the results of the task, what was the government's own standards?

The 12 Key Drug Strategy Impact Targets described measurable results in these terms.

Reduce the number of chronic drug users by 20% by 2002, and by 50% by 2007. Reduce the availability of illicit drugs in the U.S. by 25% by 2002, and by 50% by 2007. Reduce the rate of shipment of illicit drugs from source zones by 15% by 2002, and by 30% by 2007. In addition, reduce the domestic cultivation and production of illicit drugs by 20% by 2002, and by 50% by 2007.<sup>126</sup>

The collective problem with the targets was that for each of the targets, there was no actual U.S. government estimate for the base.<sup>127</sup> Regarding the numbers, “at this point, no official, survey-based government estimate of the size of the drug-using population exists.”<sup>128</sup> This would imply that defining the magnitude of the problem was not precise or accurate. The problem with all of the assessments was that they were based on independent estimates or models that were either incompatible for merging data or unreliable for accurate assessments.<sup>129</sup>

According to Sterling, “Americans can no longer tolerate a strategy that brazenly insists that our policy is working because the trend of anti-drug spending is up.”<sup>130</sup> In McCaffery’s defense, although the director presented precise numbers and percentages, the stated purpose of the PME report was to present trends over time. In spite of 2000 being a Presidential election year, it would also be the first official PME reporting year. The data collection and reporting systems were not mature enough to provide much of a trend analysis.<sup>131</sup> The pursuit of emerging drug control policy brings the discussion to the George W. Bush Administration.

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<sup>126</sup> National Drug Control Strategy: 2000, *Performance Measures of Effectiveness* vi-vii.

<sup>127</sup> Eric Sterling, “*Can’t Sweep This Under Rug*”, March 23, 2000.

<sup>128</sup> National Drug Control Strategy 1999, *Performance Measures of Effectiveness: Implementations and Findings*, 15-19. Also see *Strategy 2000* “Because of the uncertainty attached to both raw measurements and the difficulty in factoring in the improvements in calculating flow over the initial three comparison years, ONDCP is in the process of refining the way targets are measured.” p40.

<sup>129</sup> Sterling continues this vein and suggests that it is time for a strategy with a completely different emphasis.

<sup>130</sup> *Ibid.*

<sup>131</sup> Performance Measures of Effectiveness, Appendix H: PME Data Gap Analysis.

## **CHAPTER FIVE – GEORGE W. BUSH’s**

### **ADMINISTRATION**

#### **Setting the Stage Again (2001)**

The new administration wanted to deescalate the drug war that they inherited from the previous administration. Although the public had grown accustomed to hearing a get-tough line on drugs and crime, the issue on the minds of many constituents was the state of the economy. Similar to 1992, the public was not in any mood for reforms that would appear to be generous to drug dealers or users. The controversial Presidential pardon of a known high level drug dealer had soured the chance for a rational debate. The constraints facing a new president with a reformist drug-policy agenda but no organized political constituency pressing for reform, were formidable. Change would take a prolonged and visible struggle; it would demand expending political capital. Not surprisingly, drug policy quickly became a low priority for the Administration. Alternatively, perhaps this administration recognized the mood of the nation and decided to select the place and time for setting the agenda.

#### **The Rhetorical Presidential Attack**

Teen drug statistics is one of the worst public failures of the 1990s. From 1979-1992, our nation confronted drug abuse successfully. Teen drug use declined each and every year. Unfortunately, in the last 7 ½ years, fighting drug abuse has ceased to be a national priority.

Presidential Candidate George W. Bush, Governor of Texas, October 2000.<sup>132</sup>

“Elected politicians fearful of being tagged as soft on crime outdo one another in their support for the get-tough programs that do not work.”<sup>133</sup> The researcher contends that President

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<sup>132</sup> Quoted by Anne E. Kornblut and Glen Johnson, *Boston Globe*, p.AG Oct 7, 2000, in *Issues 2000*, “George W. Bush on Drugs” <http://www.issues2000.org>.

<sup>133</sup> Micheal Kramer, “Key to War On Drugs In W’s Hand” *New York Daily News*, Fri, 02 Mar 2001, <http://www.nydailynews.com> Accessed on 4/12/01.

elect George W. Bush did not have this problem. “Because of President Bush’s record of executions as the Texas Governor, he does not have to fight charges that he is soft on crime.”<sup>134</sup> Furthermore, because of this get-tough persona, President Bush has time to build a consensus on the issue of treatment and reform. The fact that as of mid April 2001, President Bush has yet to name a new director to the National Drug Control Policy Office has done little to tarnish the public image. According to Senator Joe Biden, the delay may be an indicator that a dramatic shift in funding priorities may occur or a de-emphasis on the cabinet level importance of the position.<sup>135</sup>

## **Resource Trends: Supply versus Demand Programs**

The first position of the administration was articulated during the senate confirmation hearings by former Chairman of the Joint Chiefs of Staff, Colin Powell, given at the Senate hearing for his appointment as Secretary of State.

We support the actions by the Congress and President to send aid to Colombia. We believe that this money, some 1.3 billion dollars from America, should be used to help the Colombian government to protect its people, fight the illicit drug trade, halt the momentum of the guerrillas, and ultimately to bring about a sensible and peaceful resolution to the conflict that has ravaged Colombia for so long now.<sup>136</sup>

Colin Powell also advocates assistance to Colombia in 2002 with the “Andean Counterdrug Initiative” or ACI. The ACI will distribute \$731 million in 2002 through the foreign operations bill known as International Narcotics and Law Enforcement. The 2002 request contains 21% less military and police aid for Colombia than the levels approved for 2000-2001, and 29 percent

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<sup>134</sup> William Raspberry, “Missing a Chance on Drugs”, *News & Observer* (NC), Wed, 21 Feb 2001, <http://www.news-observer.com>. Accessed on 4/12/01. Author also credits the Justice Policy Institute’s Lisa Feldman, who co-authored “Too Little, Too Late: President Clinton’s Prison Legacy” with the reference.

<sup>135</sup> Joseph R. Biden, Jr., “Making Drug War a National Priority”, San Diego Union Tribune (CA), Fri, 30 Mar 2001, <http://www.uniontrib.com>. Accessed on 4/12/01, Biden is a U.S. senator from Delaware. He wrote the law that created the Office of National Drug Control Policy; the office the drug czar oversees. Biden contends that the drug czar must be on equal footing with the rest of the president’s Cabinet in order to decertify an agency’s budget: as General Barry McCaffrey did with Secretary of Defense William Cohen’s proposed counter-narcotics budget for the Defense Department.

<sup>136</sup> Secretary of State-designate Colin Powell, testifying before the Senate Jan. 17, 2001, Official U.S. State Department website on Plan Columbia. <http://www.southcom.mil/PA/idxaor.htm>

more economic and social aid. The decrease for Colombia is almost exactly offset by increases in military aid to Colombia's neighbors as part of the "Andean Counter Drug Initiative."<sup>137</sup>

According to the *Center for International Policy*, "A large increase may be possible in the 2003 request. By next year, 2002, the 2000-2001 aid will have been delivered, and Congress will be in an election year."<sup>138</sup> The analysis by the *Center for International Policy* contends that the explanation for the 2002 military-aid plateau, is that 2001 is not an election year. "Members of Congress fell less compelled to adopt measures that appear "tough on drugs" when not facing a campaign in the fall."<sup>139</sup>

It appears that the state department is aware of the hydra effect and is taking steps to mitigate its influence. The state department called for a 262% increase in Foreign Military Financing (FMF) for the Western hemisphere (from \$ 4.975 million in 2001 to 18 million in 2002). The purpose according to the state department budget presentation was to "counter the spill-over security problems caused by the effective implementation of Plan Colombia."<sup>140</sup> George Wachtenheim, director of the USAID mission in Colombia, said another focus of U. S. efforts will be a 'social program' to address the root causes of drug cultivation.<sup>141</sup>

The point of the discussion was to remind the reader that electoral politics is the factor that most influences drug control policy. The protagonist and antagonist writers representing demand or supply programs tended not to appreciate the reality that measures of effectiveness are quantified in terms of votes. Just as votes represent influence, so does occupancy in the presidents' cabinet. The position of the cabinet level director of national drug control policy is vacant. To explore the possible impact of the vacancy through actions and statements of select members of the cabinet may provide insights into the challenge of policy.

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<sup>137</sup> Center for International Policy, "U.S. Aid to Colombia: The U.S. Aid Proposal", internet accessed <http://www.ciponline.org/colombia/aid/2002request.htm> on 4/13/01. References state department website at <http://www.state.gov/s/rpp/rls/iab>.

<sup>138</sup> *Ibid.*

<sup>139</sup> *Ibid.*

<sup>140</sup> *Ibid.*

## Director of the National Drug Control Vacancy

After the symbolic 100 days in office, President George W. Bush has not named anyone to replace the nation's director of national drug control policy. The vacancy may be exposing divisions among GOP leaders over how the drug war should be fought and who should lead it. President Bush's Cabinet includes people with decidedly different approaches to the drug problem. Colin Powell and John Ashcroft have voiced the traditional tough approach to the policy.<sup>142</sup> Donald Rumsfeld addressed the futility of supply reduction efforts. In the absence of statements, background information on Tommy Thompson's tenure as a state Governor was used which may indicate a predisposition towards more demand reduction funding.

Attorney General John Ashcroft, after his Senate confirmation to fill the top Justice Department post, said, "reinvigorating the drug war" was one of his top priorities. He strongly supports lengthy mandatory sentences for users.<sup>143</sup> In his first interviews as attorney general, Ashcroft pledged to "reinvigorate, refresh, and re-launch the war on drugs", arguing that the Clinton Administration had been lax in fighting narcotics. A study in contrast may be the policy position of Tommy Thompson, the Health and Human Services Secretary, a proven advocate for reformist actions. As Wisconsin governor, he backed needle-exchange programs to prevent the spread of disease among addicts.<sup>144</sup> Based upon past policy positions on public health, the possibility for reform may be viable.<sup>145</sup> Another advocate for change may be from the Department of Defense. Recognizing that the present strategy does not work, Defense Secretary

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<sup>141</sup> Elise Labott, CNN State Department Producer, *CNN (US Web)* "Bush Administration Announces Expansion Plan" <http://www.cnn.com> published on Mon 12 Mar 2001, accessed on 4/12/01.

<sup>142</sup> By support of the \$1.6 billion to Plan Colombia and the expansion of the Andean Initiatives are examples of escalations in source country drug control programs. John Ascroft is quoted in the *Miami Herald* as planning to reinvigorate the drug war and criticizes the Clinton Administration as being lax in fighting narcotics.

<sup>143</sup> Frank Davies, "US: Drug Czar Vacancy Exposes Policy Divide in GOP", *Miami Herald* (FL), Fri, 23 Feb 2001, <http://www.herald.com>, accessed on 4/12/01.

<sup>144</sup> Steven Wishnia, "US: National Drug Policy Will Be More conservative than Compassionate", *In These Times Magazine* (US), Mon, 16 Apr 2001, [www.inthesetimes.com](http://www.inthesetimes.com). Accessed on 4/12/01.

<sup>145</sup> Robert Rector, "Wisconsin's Welfare Miracle", *Policy Review* March-April 1997, No 82. Internet. Available from <http://www.policyreview.com/mar97/rector.html>; accessed on 9 May 2001.

Donald Rumsfeld said in his confirmation hearing that combating illicit drugs is “overwhelmingly a demand problem” and questioned the need for more military involvement in cutting off supply. Rumsfield added, “if demand persists, it’s going to get what it wants. And if it isn’t from Colombia, it’s going to be from someplace else.”<sup>146</sup> The statement was a clear departure from positions traditionally advocated by the Defense Department during the Clinton years.

Perhaps it is premature to be conclusive from a few statements concerning policy design, but it is evident that the president gives drug reform advocates some hope. In an “Inside Politics” interview with CNN senior correspondent Candy Crowley, President George Bush endorsed treatment and ending mandatory minimum sentences for first-time drug offenders. Bush said “he knows that a lot of people are coming to the realization that maybe long, minimum sentences for the first-time users may not be the best way to occupy jail space and or heal people from their disease. And I’m willing to look at that.”<sup>147</sup> The article states Bush’s belief in faith based programs to help people change their lives, which would then change their habits. The President also has taken a position against the disparity between sentencing for crack versus powder cocaine.<sup>148</sup>

The interesting parallel was that President Clinton advocated the same emphasis on policy at the end of his administration that President George W. Bush was saying at the beginning. In fact, President Clinton advocated some of the treatment initiatives, during the first term, however he did not expend the political influence to turn words into results. Is it a move to capture the center of the political party or indicators of reform? The political difference that may create the opportunity for change is the public perception of the president as a tough law and order leader. The Bush administration does not have the political stigma of being soft on crime. The perception made it easier for the administration to serve over 100 days without a cabinet level Director of the Office of National Drug Control Policy. The perception

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<sup>146</sup> George Will, “Fighting a Supply-Side War on Drugs is Exercise in Futility”, *Duluth News Tribune*(MN), Fri, 19 Jan 2001, [www.duluthnews.com](http://www.duluthnews.com), accessed on 4/12/01.

<sup>147</sup> Linda Gasparello, “Choosing The New Drug Czar: Through a Glass Darkly”, *White House Weekly*, Vol 29, Num 25, internet [www.whitehouweweekly.com](http://www.whitehouweweekly.com), assessed on 4/12/01.

<sup>148</sup> *Ibid.*

however, did not fundamentally change the reality. The conservative federal funding ratio of 70:30 between supply and demand control programs is the standard.<sup>149</sup> The FY 2002 recommended funding levels proposed by the Bush administration continue the trend.<sup>150</sup> Maintenance of the status quo may be in order for three political reasons. Think of the reasons as anchors to the past, present and future. The presidential election of 2000 was highly contested. The administration does not have political party control of Congress. The congressional elections are in 2002.

## **CHAPTER SIX- CONCLUSION**

### **Summary**

There was no political or scientific-medical consensus for the policy designs that developed into national programs in the 1990s. Studies failed to address the political dimension of the drug control policy. At the turn of the twenty-first century, the National Drug Control Policy office has commissioned a three-year independent study to establish bipartisan ground truth on effective models and policy. Presidential politics discussion explored some of the ways politicians influenced public policy. The get-tough on drug traffickers and user policy positions usually insured high public approval ratings. Presidential certification of other countries was used to strengthen the public perception that foreigners threaten the American way of life.

The first term of the Clinton Presidency demonstrated the political firestorm a misstep in policy reform could create. In an attempt to follow through on the political rhetoric of the campaign to change the funding strategy, the administration was labeled soft on crime and drug abuse. The one-year increase in demand reduction efforts of two percent in 1993 was enough to galvanize the political opposition. The 1993 Congressional races changed the party control of the

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<sup>149</sup> The term conservative refers to the spending ratio initiated by the Nixon administration that advocated the 70/30 split. The exception was Nixon's first year, which had a 50/50 split between the programs.

<sup>150</sup> National Drug Control Policy, "Overview of FY 2002 Drug Control Budget", "The FY 2002 recommended funding levels include \$13.3 billion for supply-related programs and \$5.9 billion for demand-related programs. The FY 2001 to FY 2002 increases are \$955 million for supply reduction efforts and \$171 million for demand reduction efforts." Internet . Available from <http://www.whitehousedrugpolicy.gov/news/press01/040401.html>; accessed on 9 May 2001.

legislature, which made reform politically difficult. At this time, reform would only move towards escalation (more enforcement) to stymie the tough approach advocated during the second term.

The election year of 1996 marked the highest percentage of federal funds allocated to drug enforcement during the decade. The Clinton administration appointed former SOUTHCOM CINC, Gen (Ret) Barry McCaffery to the office of Director, National Drug Control Policy. Following the mandate of the President and Congress, the Cabinet level office maintained the 70/30 ratios between supply and demand reduction programs with the exception of 1999 and 2000. Programs that represented a traditional supply control approach included Presidential decertifications of Colombia, followed by the support of Plan Colombia. The publishing of the Performance Measures of Effectiveness Report was used to declare political victory on drugs during the 2000 presidential campaign.

In contrast, the George W. Bush administration after the first 100 days had not appointed a new Director, of the National Drug Control Policy. Due to his personal experience with the benefits of drug abuse treatment, President Bush may bring more balance to the public debate. Donald Rumsfeld, Secretary of Defense, commented on the futility of supply reduction efforts. Overall, the policy positions throughout the presidential cabinet was mixed. However, funding proposals continue to support the 70/30 ratios in supply and demand control spending.

Electoral politics was the reason why the preponderance of federal fiscal dollars resourced supply programs higher rather than demand reduction programs. The United States drug policy has been driven by the need to appear tough on drugs, regardless of results. Cocaine and heroin cost are declining and product purity is rising. Presidential leadership has a value, however, pressures to compromise may mitigate effectiveness. Political activism by an informed electorate to help shape the direction of public policy is needed.

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